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Crl.R.C.No.664 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

Crl.R.C.No.664 of 2023

and

Crl.M.P.Nos.4992 & 4993 of 2023

1.C.J.Antony Paul
2.Clara
3.Jesintha
4.Sophia Irudhaya Mary
5.Regina Cecelia

... Petitioners

Vs.

The State Rep By,
The Inspector of Police,
District Crime Branch,
Thiruvallur District.

... Respondent

Prayer : Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C, praying to call for the records pertaining to C.C.No.271 of 2021 pending on the file of the learned Judicial Magistrate No.I at Thiruvallur and to set aside the order dated 24.01.2023 passed in Crl.M.P.No.6749 of 2021 and thereby discharge the accused/petitioners from all charges levelled against them.

For Petitioners : Mr.J.Suresh

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)



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ORDER

This Criminal Revision Case is filed against the order passed in Crl.M.P.No.6749 of 2021 in C.C.No.271 of 2021 dated 24.01.2023 on the file of the learned Judicial Magistrate No.I, Thiruvallur.

2. The petitioners have filed a petition seeking permission to discharge the petitioners/accused in C.C.No.271 of 2021 before the learned Judicial Magistrate No.I, Tiruvallur in Crl.M.P.No.6749 of 2021 in C.C.No.270 of 2021, which was dismissed by the trial court vide impugned order, dated 23.01.2023. Challenging the same, the petitioners have filed the present revision.

3. Though very many grounds have been raised by the petitioners against the order impugned, however, when the matter is taken up for hearing today, the learned counsel appearing for the petitioners submitted that the petitioners would contest the case and this Court, without going into the merits of the case may dispense with the appearance of the petitioners before the trial court.



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4. Though such a prayer has been sought for, however, it is to be pointed out that the presence of the petitioners cannot be dispensed with in toto.

In such view of the matter, this Court, without going into the merits of the case, directs that the appearance of the petitioners before the trial court is dispensed with except for their appearance for the purpose of receiving copies u/s 207 and questioning u/s 313 Cr.P.C. and on the day on which judgment is to be pronounced. However, if for any particular reason, the presence of the petitioners is necessary, the trial court, at its wisdom, shall direct their appearance on those days.

5. Accordingly, this Criminal Revision Case is dismissed.
Consequently, connected criminal miscellaneous petitions are closed.

11.07.2024

Index : Yes / No
Speaking order / Non-speaking order
NCC : Yes / No
sp

To

- 1.The Judicial Magistrate No.I, Tiruvallur.
- 2.The Inspector of Police, District Crime Branch, Thiruvallur District.
- 3.The Public Prosecutor, Madras High Court, Chennai.



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M.DHANDAPANI, J.

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