



Crl.RC.No.600 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.07.2024

CORAM:

THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

Crl.RC.No.600 of 2024 and
CRL.M.P.Nos.5561 and 5562 of 2024

Jailani

...Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
Anti Land Grabbing Special Cell/
District Crime Branch,
Cuddalore District.
(Crime No.40 of 2011)

...Respondent

Petition filed under Section 397 r/w 401 of Code of Criminal Procedure to set aside the order made in Crl.M.P.No.2820 of 2023 in C.C.No.62 of 2023 dated 02.03.2024 passed by the learned District Munsif cum Judicial Magistrate, Kattumannarkoil.

For Petitioner : Mr.G.Pugazhenth

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.Side)

ORDER

This Criminal Revision Case is filed against the order made in Crl.M.P.No.2820 of 2023 in C.C.No.62 of 2023 dated 02.03.2024 passed



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by the learned District Munsif cum Judicial Magistrate, Kattumannarkoil.

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2. The petitioner has filed a discharge petition u/s 227 of Cr.P.C. to discharge them from the charges levelled against them, before the Court of District Munsif cum Judicial Magistrate, Kattumannarkoil in CrI.M.P.No.2820 of 2023 in C.C.No.62 of 2023, which was dismissed by the trial Court vide impugned order, dated 02.03.2024. Challenging the same, the petitioner has filed the present revision.

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

4. Though such a prayer has been sought for, however, it is to be pointed out that the presence of the petitioner cannot be dispensed with in toto. In such view of the matter, this Court, without going into the merits of



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the case, directs that the appearance of the petitioner before the trial court is dispensed with except for his appearance for the purpose of receiving copies u/s.207 and questioning under Section 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 petitioner is necessary, the trial court, at its wisdom, shall direct his appearance on those days.

5. In view of the order passed in Crl.R.C.600 of 2024, no order needs to be passed in Crl.M.P.No.5562 of 2024 filed seeking to dispense with the personal appearance of the petitioner. Accordingly, the Crl.M.P.No.5562 of 2024 stands closed.

6. Accordingly, this Criminal Revision Case is dismissed. Consequently, connected criminal miscellaneous petition in Crl.M.P.No.5561 of 2024 is also closed.

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Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No



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M.DHANDAPANI, J.

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To

1. The Inspector of Police,
Anti Land Grabbing Special Cell/
District Crime Branch,
Cuddalore District.
2. The District Munsif cum Judicial Magistrate, Kattumannarkoil
3. The Public Prosecutor
High Court, Madras.

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