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Crl.R.C.No.952 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**Crl.R.C.No.952 of 2024 and
Crl.M.P.No.7946 of 2024**

Solai
S/o.Ganesan

... Petitioner

Vs.

The State,
Represented by the Inspector of Police,
District Land Grabbing (ALGSC PS),
Tiruvannamalai Taluk and District.

... Respondent

PRAYER : Criminal Revision filed under Section 397 r/w Section 401 of the code of Criminal Procedure, 1973 to set aside the order dated 07.10.2023 made in Crl.M.P.No.5426 of 2023 in C.C.No.437 of 2019 on the file of the learned Judicial Magistrate No.I, Tiruvannamalai.

For Petitioner	:	Mr.P.Dinesh Kumar
For Respondent	:	Mr.A.Gopinath
		Government Advocate (Crl.Side)

O R D E R

This criminal revision case has been filed to set aside the order dated 07.10.2023 made in Crl.M.P.No.5426 of 2023 in C.C.No.437 of 2019 on the file of the learned Judicial Magistrate No.I, Tiruvannamalai.



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2. The petitioner has filed a petition u/s 239 of Cr.P.C. seeking to discharge him from the charges under Sections 120B, 468, 420, 465, 423 and 471 of IPC before the learned Judicial Magistrate No.I, Tiruvannamalai which was dismissed by the trial Court vide impugned order, dated 07.10.2023. 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 before the trial Court 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 the case, directs that the appearance of the petitioner before the trial court is



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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. Accordingly, this Criminal Revision Case is dismissed.

Consequently, connected miscellaneous petition is closed.

10.06.2024

NCC : Yes / No

Index : Yes / No

Speaking Order : Yes / No

vji

To

1. The learned Judicial Magistrate No.I,
Tiruvannamalai.

2. The Public Prosecutor,
Madras High Court.



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M.DHANDAPANI, J.

vji

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