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Crl.R.C.No.1040 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2024

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.R.C.No.1040 of 2023

Saravanan

... Petitioner

Vs.

Inspector of Police
Central Crime Branch,
EDF-1, Team -2,
Vepery, Chennai-7.

... Respondent

Prayer : Criminal Revision Petition filed under Section 397 r/w. 401 of Criminal Procedure Code, to call for the records and set aside the order passed by the learned Metropolitan Magistrate for Exclusive Trial of CCB and CBCID cases, at Egmore, Chennai in Crl.MP.No.33002 of 2022 in CC.No.453 of 2022 dated 20.04.2023 dismissed the petition to discharge the petitioner from all the charges levelled against him in CC.No.453 of 2022 on the file of the learned Metropolitan Magistrate for Exclusive Trial of CCB and CBCID Cases, Egmore, Chennai.

For Petitioner : Mr.P.Wellington

For Respondent : Mr.A.Gopinath R1

Government Advocate (Crl. Side)

No appearance R2

ORDER

This Criminal Revision case has been filed seeking quashment
of the order passed by the learned Metropolitan Magistrate for Exclusive



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Trial of CCB and CBCID cases, at Egmore, Chennai in
Crl.MP.No.33002 of 2022 in CC.No.453 of 2022 dated 20.04.2023.

2. The petitioner is the 5th accused in Cr.No.TNCHOF-052707-2022 on the file of the first respondent for the offence under Section 406, 420, 506(i) read with 34 of IPC and the respondent filed charge sheet against the petitioner along with other accused and the same was numbered as CC.No.453 of 2022 before the Designated Court, in which, the petitioner filed a petition u/s. 239 of Cr.P.C. in Crl.MP.No.33002 of 2022, seeking to discharge from the charges framed against him, which was dismissed by the trial, vide impugned order dated 20.04.2023. 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 therefore, this Court, without going into the merits of the case may



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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, direct 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. Accordingly, this Criminal Revision Case is dismissed.

12.07.2024

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Index: Yes/No

Speaking/Non-Speaking order

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M.DHANDAPANI, J.

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To

1.The Inspector of Police
Central Crime Branch,
EDF-1, Team -2,
Vepery,
Chennai-7.

2. The Metropolitan Magistrate for Exclusive
Trial of CCB and CBCID Cases, Egmore, Chennai.

3. The Public Prosecutor,
Pondicherry,
High Court of Madras.

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12.07.2024