



Crl.RC.No.1009 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.06.2024

CORAM:

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

Crl.RC.No.1009 of 2022

and

CRL.M.P.No.10501 of 2022

1. M.Thanikachalam
2. T.Mahesh
3. Kalaiselvi

...Petitioners

Vs.

The Inspector of Police,
District Crime Branch,
Tiruvallur District,
Crime No.5 of 2006.

...Respondent

Petition filed under Section 397 r/w 401 of Code of Criminal Procedure against the dismissal order dated 01.04.2022 passed by the Judicial Magistrate at Tiruvallur in Crl.M.P.No.4814 of 2021 in CC.No.184 of 2009.

For Petitioners : Mr.Manoharan Sundaram

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



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ORDER

This Criminal Revision Case is filed against the order of passed in C.M.P.No.4814 of 2021 in CC.No.184 of 2009 dated 01.04.2022 on the file of learned Judicial Magistrate at Tiruvallur.

2. The petitioners have filed a discharge petiiton u/s 227 of Cr.P.C. to discharge them from the charges levelled against them, before the Court of Judicial Magistrate No.I Tiruvallur in C.M.P.No.4814 of 2021 in C.C.No.184 of 2009, which was dismissed by the trial Court vide impugned order, dated 01.04.2022. 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 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 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 petition is 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,
District Crime Branch,
Tiruvallur District,
Crime No.5 of 2006.
2. The Court of Judicial Magistrate No.I Tiruvallur
3. The Public Prosecutor
High Court, Madras.

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