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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2024

CORAM:

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

Crl.R.C.No.1236 of 2024
and Crl.M.P.Nos.10631 and 10632 of 2024

1.R.Nithya
2.G.Subramanian
3.S.Kannambal

... Petitioners

Vs.

State rep.by
Sub Inspector of Police,
Central Crime Branch,
Salem City.
(cr.no.10/2020)

... Respondent

Prayer: Criminal Revision case has been filed under Section 397 r/w 401 of Cr.P.C, to set aside the order passed in Crl.M.P.No.7212 of 2023 in C.C.No.1251/2023 on the file of the Judicial Magistrate No.III, Salem.

For Petitioner	: Mr.T.Muruganantham
For Respondent	: Mr.A.Gopinath
	Government Advocate (crl.side)

ORDER

These Criminal Revision cases have been filed seeking quashment of the order passed in Crl.M.P.No.7212 of 2023 in C.C.No.1251/2023 on the file of the Judicial Magistrate No.III, Salem.



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2. The petitioner has been implicated for the offence under Sections 420 and 506(i) IPC in Cr.No.10/2020 and the same was taken on file in CC.No.1236 of 2024, in which, the petitioners filed a petition u/s. 245 of Cr.P.C. in CrI.MP.No.7212 of 2023, seeking to discharge from the charges framed against them, which was dismissed by the trial, vide impugned order dated 06.04.2024. Challenging the same, the petitioners have filed the present revisions.

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 before the trial Court and this Court, without going into the merits of the case may dispense with the appearance of the petitioners 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 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 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 petitions are closed.

29.07.2024

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To

1.The Judicial Magistrate No.III, Salem.

2.The Sub Inspector of Police,
Central Crime Branch,
Salem City.

3.The Public Prosecutor,
Madras High Court.



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M.DHANDAPANI.J.

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