



Crl.RC.No.1141 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2024

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

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Sambasivam

...Petitioner

Vs.

The Inspector of Police,
Ponnai Police Station,
Vellore District.
Cr.No.285 of 2021
...Respondent

Criminal Revision case filed under Section 397 r/w 401 of Cr.P.C. to set aside the order dated 16.02.2024 passed by the Hon'ble Judicial Magistrate, Sholinghur in Crl.MP.No.232 of 2023 in CC.No.25 of 2022 by discharging the petitioner in CC.No.25 of 2022 pending on the file of the Hon'ble Judicial Magistrate, Sholinghur.

For Petitioner : M/s.S.Priyadarshini

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

ORDER

This Criminal Revision case has been filed seeking quashment of the order passed in Crl.MP.No.232 of 2023 in CC.No.25 of 2022 dated



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16.02.2024 on the file of the Judicial Magistrate, Sholinghur.

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2. The petitioner has filed a petition u/s. 239 of Cr.P.C. in Crl.MP.No.232 of 2023 in CC.No.25 of 2022, seeking to discharge him from the charges framed against him, which was dismissed by the trial, vide impugned order dated 16.02.2024. 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 the case, directs that the appearance of the petitioner before the trial



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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.

04.07.2024

skt

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

To

1. The Inspector of Police,
Ponnai Police Station,
Vellore District.
2. The Judicial Magistrate,
Sholinghur.
3. The Public Prosecutor,
Madras High Court.



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M.DHANDAPANI, J.

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