



WEB COPY



Crl.RC.No.1536 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.06.2024

CORAM:

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

Crl.RC.No.1536 of 2022

and

CRL.M.P.No.18529 of 2022

Praveen

...Petitioner

Vs.

1. State, Represented by
Inspector of Police,
CCB, EDF-III, Chennai,
Crime No.29 of 2019.

2. Jafarullah Khan

...Respondents

(R2 impleaded as per order dated 11.08.2023

in Crl.M.P.No.12215 of 2023 in Crl.RC.No.1536 of 2022)

Petition filed under Section 397 r/w 401 of Code of Criminal
Procedure against the order passed in Crl.M.P.No.4075 of 2022 in
C.C.No.130 of 2021 dated 04.11.2022 on the file of the Judicial Magistrate
No.1, Poonamallee.

For Petitioner : Mr.M.L.Ramesh

For Respondent : Mr.A.Gopinath for R1
Government Advocate (Crl.Side)

Mr.C.Iyyanar for R2



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ORDER

WEB COPY This Criminal Revision Case is filed against the order passed in Crl.M.P.No.4075 of 2022 in C.C.No.130 of 2021 dated 04.11.2022 on the file of the Judicial Magistrate No.1, Poonamallee.

2. The petitioner has filed a discharge petition u/s 227 of Cr.P.C. to discharge them from the charges levelled against them, before the Court of Judicial Magistrate No.1, Poonamallee in Crl.M.P.No.4075 of 2022 in C.C.No.130 of 2021, which was dismissed by the trial Court vide impugned order, dated 04.11.2022. 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.



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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 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 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.

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rap
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,
CCB, EDF-III, Chennai,
Crime No.29 of 2019.
2. The Judicial Magistrate No.1, Poonamallee.
3. The Public Prosecutor
High Court, Madras.

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