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Crl.R.C.No.1568 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 10.06.2024**

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

**Crl.R.C.No.1568 of 2022**

**and**

**Crl.M.P.No.18935 of 2022**

1.Suresh @ Suresh Krishnan

2.Jothi

... Petitioners

Vs.

State rep by:

The Inspector of Police [L & O],  
H-1, Washermenpet Police Station,  
Chennai – 600 021.

(Crime No.1055 of 2017)

... Respondent

**Prayer :** Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C,  
praying to call for the records on the file of the learned IV Additional  
Sessions Judge at Chennai in Crl.M.P.No.5504 of 2019 and set aside the  
order dated 14.11.2022.

For Petitioners : Mr.J.B.Solomon Peter Kamal Doss

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

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### **ORDER**

This Criminal Revision Case is filed against the order passed in Crl.M.P.No.5504 of 2019 in S.C.No.136 of 2018 dated 14.11.2022 on the file of the learned IV Additional Sessions Judge at Chennai.

2. The petitioners have filed a petition u/s 227 of Cr.P.C. seeking permission to discharge the petitioners/accused No.2 and 3 in S.C.No.136 of 2018 before the IV Additional Sessions Judge at Chennai in Crl.M.P.No.5504 of 2019 in S.C.No.136 of 2018, which was dismissed by the trial vide impugned order, dated 14.11.2022. 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 u/s 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.

**10.06.2024**

Index : Yes / No  
Speaking order / Non-speaking order  
NCC : Yes / No  
sp



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**M.DHANDAPANI, J.**

sp

To

- 1.The IV Additional Sessions Judge, Chennai.
- 2.The Inspector of Police [L & O], H-1, Washermenpet Police Station, Chennai – 600 021.
- 3.The Public Prosecutor, Madras High Court, Chennai.

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