



Crl.RC.No.2022 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.07.2024

CORAM:

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

Crl.RC.No.2022 of 2023

R.Aravinthan

...Petitioner

Vs.

State Rep.by
Inspector of Police,
N-4, Fishing Harbour Police Station,
Chennai – 600 013.
Cr.No.121 of 2022.

...Respondent

Petition filed under Section 397 r/w 401 of Code of Criminal Procedure to set aside the order passed in Cr.M.P.No.2468 of 2023 on the file of Principal Special Judge, Principal Special Court under EC & NDPS Act, Chennai dated 09.11.2023.

For Petitioner : Mr.M.G.Martin Manivannan

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

ORDER

This Criminal Revision Case is filed to set aside the order passed in Cr.M.P.No.2468 of 2023 on the file of Principal Special Judge, Principal



CrI.RC.No.2022 of 2023

Special Court under EC & NDPS Act, Chennai dated 09.11.2023.

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2. The petitioner has filed a discharge petition u/s 227 of Cr.P.C. to discharge him from the charges levelled against him, before the Principal Special Judge, Principal Special Court under EC & NDPS Act, Chennai in CrI.M.P.No.2468 of 2023 in C.C.No.460 of 2022, which was dismissed vide impugned order, dated 09.11.2023. 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



Crl.RC.No.2022 of 2023

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.

18.07.2024

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



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Crl.RC.No.2022 of 2023

M.DHANDAPANI, J.

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To

1. The Inspector of Police,
N-4, Fishing Harbour Police Station,
Chennai – 600 013.
2. The Principal Special Judge,
Principal Special Court under EC & NDPS Act, Chennai
3. The Public Prosecutor
High Court, Madras.

Crl.RC.No.2022 of 2023

18.07.2024