



Crl.R.C.No.354 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.R.C.No.354 of 2024
and Crl.M.P.No.3246 of 2024

K.Indirani

... Petitioner

Vs.

The Deputy Superintendent of Police,
Salem CCIW-CID Unit,
Salem District.

... Respondent

Prayer : Criminal Revision Petition filed under Section 397 r/w. 401 of Criminal Procedure Code, against the order passed in C.M.P.NO.4220/2022 in C.C.No.284/2021 on the file of Judicial Magistrate, NO.IV, Salem Dated 12.07.2023.

For Petitioner : Mr.Charles Kamalesh M.Appaji

For Respondent : Mr.A.Gopinath,

Government Advocate (Crl. Side)

ORDER

The Criminal Revision case has been filed seeking quashment of the order passed in C.M.P.NO.4220/2022 in C.C.No.284/2021 on the file



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of Judicial Magistrate, NO.IV, Salem Dated 12.07.2023.

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2. The petitioner has been implicated for the offence under Sections 408, 467, 468, 471, 477(A) read with 120 B of IPC in Cr.No.06/2012 and the same was taken on file in CC.No.284 of 2021, in which, the petitioner filed a petition u/s. 239 of Cr.P.C. in Crl.MP.No.4220 of 2022, seeking to discharge from the charges framed against her, which was dismissed by the trial, vide impugned order dated 12.07.2023. 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 before the trial Court 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 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.

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Index: Yes/No

Speaking/Non-Speaking order



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M.DHANDAPANI, J.

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To

- 1.The learned Judicial Magistrate, NO.IV, Salem.
- 2.The Deputy Superintendent of Police,
Salem CCIW-CID Unit,
Salem District.
- 3.The Public Prosecutor,
Madras High Court.

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