



WEB COPY



Crl.RC.No.2205 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.07.2024

CORAM:

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

Crl.RC.No.2205 of 2023

and

Crl.M.P.No.19833 of 2023

Nagapushanam

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Veppanapalli Police Station,
Crime.No.24 of 2022.

...Respondent

Petition filed under Section 397 r/w 401 of Code of Criminal Procedure against the order dated 04.10.2023 in Crl.M.P.No.995 of 2023 in S.C.No.85 of 2023 on the file of the Sessions Judge, (Fast Track Court, Krishnagiri and discharge the petitioner from SC.No.85 of 2023 by allowing the revision petition.

For Petitioner : Mr.L.Palani Muthu
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Revision Case is filed to set aside the order dated 04.10.2023 in Crl.M.P.No.995 of 2023 in S.C.No.85 of 2023 on the file of



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the Sessions Judge, (Fast Track Court, Krishnagiri and discharge the petitioner from SC.No.85 of 2023 by allowing the revision petition.

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 learned Sessions Judge, (Fast Track Court, Krishnagiri in Crl.M.P.No.995 of 2023 in S.C.No.85 of 2023, which was dismissed vide impugned order, dated 04.10.2023. 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



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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 criminal miscellaneous petition is closed.

22.07.2024

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,
Veppanapalli Police Station,
2. The Sessions Judge, (Fast Track Court, Krishnagiri.
3. The Public Prosecutor
High Court, Madras.

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