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CrI.O.P.(MD)No.2957 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.02.2024**

CORAM:

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

CrI.O.P.(MD) No.2957 of 2022

and

CrI.M.P(MD).No.2212 of 2022

Tamilselvan

... Petitioner

Vs.

State rep. By

1.The Sub-Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

2.Palanikumar

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call further records in crime No.1141 of 2019 on the file of the first respondent police and quash the same.

For petitioner
For R1

: Mr.P.Muthusamy
: Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This petition has been filed seeking to quash the case in
Crime No.1141 of 2019 on the file of the first respondent Police.



2. The learned counsel for the petitioner submitted that the petitioner was falsely implicated in Crime No.1141 of 2019 registered for the offences under Section 3(2)(a), 4(20(c), 5(1)(d) and 8(b) ITP Act on the file of the first respondent police. He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he did not commit any offence as alleged by the prosecution.

3. The learned Additional Public Prosecutor appearing for the first respondent police submitted that during the pendency of this petition, the first respondent police has conducted the investigation and the same was completed. He further submitted that the final report is made ready and the same will be filed before the concerned Court within a short time.

4. Since the final report is made ready, this Criminal Original Petition is disposed of with a direction to the respondent police to file a final report before the concerned Court within a period of two weeks from the date of receipt of a copy of this order and after receiving the final report, the concerned Court shall complete the trial process as expeditious as possible. Consequently, the connected miscellaneous petition is closed.



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5. At this juncture, the learned counsel appearing for the petitioner would submit that this Court may consider to dispense with the personal appearance of the petitioner before the concerned court below.

6. Taking into consideration the request as made by the learned counsel for the petitioner, the appearance of the petitioner before the trial court is dispensed with except for his appearance for the purpose of receiving the copy of the proceedings u/s 207 Cr.P.C., framing of charges, 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 their appearance on those days.

01.02.2024

Index : Yes/No

Internet : Yes/No

tta

To

1.The Sub-Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

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