



Crl.O.P(MD).Nos.4028, 4044 and 4050 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2024

CORAM :

THE HON'BLE MR JUSTICE A.A.NAKKIRAN

Crl.O.P(MD).Nos.4028, 4044 and 4050 of 2021 and
Crl.M.P(MD).Nos.2236, 2230 and 2240 of 2021

Kannan

... Petitioner in all cases

Vs.

1.State rep. by the
Inspector of Police,
Eraniel Police Station,
Kanniyakumari District.
Crime Nos.863 to 865 of 2015

2.Nickolas

. 2nd Respondent in
Crl.O.P(MD)No.4028 of 2021

3.Maria Francies

. 2nd Respondent in
Crl.O.P(MD)No.4044 of 2021

4.Vincent Pavul

. 2nd Respondent in
Crl.O.P(MD)No.4050 of 2021

PRAYER:- Petitions filed under Section 482 Cr.P.C., to call for the records in PRC.No.26 of 2020, C.C.No.115 of 2020 and C.C.No.116 of 2020 respectively on the file of the Judicial Magistrate, Eraniel, Kanyakumari District and quash the same.

For Petitioner in all Crl.O.Ps : Mr.V. Kathirvelu

Senior counsel for Mr.K.Prabhu



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For Respondent No.1 in all Crl.O.Ps. : Mr.R.M.Anbunithi

Additional Public Prosecutor

For 2nd respondent in all Crl.O.Ps. : Mr.A.Joseph Ferry

COMMON ORDER

These Criminal Original Petitions have been filed to call for the records pertaining to the case in PRC.No.26 of 2020, C.C.No.115 of 2020 and C.C.No.116 of 2020 respectively on the file of the Judicial Magistrate, Eraniel, Kanyakumari District and quash the same.

2. Even though these Criminal Original Petitions have been filed for a larger relief, today, when the matters were taken up for hearing, the learned counsel appearing for the petitioner restricted his prayer to dispense with the personal appearance of the petitioner before the trial Court.

3. Taking into consideration of 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



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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 those appearance on those days.

4. Accordingly, this Criminal Original Petition is dismissed.

Consequently, the connected Miscellaneous Petitions are closed.

03.04.2024

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order
trp

To

1. The Inspector of Police,
Eraniel Police Station,
Kanniyakumari District.

2. The Judicial Magistrate, Eraniel, Kanyakumari District

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



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A.A.NAKKIRAN, J.

Trp

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Crl.M.P(MD).No.2236, 2230 and 2240 of 2021**

03.04.2024