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Crl.O.P.(MD)No.10783 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD) No.10783 of 2022
and
Crl.M.P.(MD).No.6777 of 2022

A.K.Mohamed Rila @Rila

... Petitioner/ Accused No.6

Vs.

1.The Inspector of Police,
Pattukottai Town Police Station,
Pattukottai, Thanjavur District.
(Crime No.133 of 2017)

2.Raja Muhamed

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in Crime No.133 of 2017 pending on the file of the first respondent Police and quash the same as illegal.

For petitioner : Mr.S.Muthumalairaja

For R-1 : Mr.P.Kottaichamy,
Government Advocate
(Criminal Side)

For R-2 : Mr.B.Anandan



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ORDER

This petition has been filed seeking to quash the FIR in Crime No.133 of 2017 on the file of the first respondent Police.

2. Today, when the matter was taken up for hearing, the learned Government Advocate (Criminal Side) appearing for the first respondent Police would submit that during the pendency of this petition, the respondent Police has conducted the investigation in Crime No.133 of 2017 and on completion of investigation, the respondent Police has filed a charge sheet in C.C.No.89 of 2023 before the learned Judicial Magistrate, Pattukottai and the same was taken on file. Hence, nothing survives for further adjudication in this petition.

3. 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 court below. 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



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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.

4. In view of the above, the Criminal Original Petition stands closed. Consequently, connected miscellaneous petition is closed.

26.02.2024

Index : Yes/No
Internet : Yes/No
TSG

To

- 1.The Judicial Magistrate, Pattukottai.
- 2.The Inspector of Police,
Pattukottai Town Police Station,
Pattukottai, Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

TSG

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