



CrI.O.P.No.34569 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.34569 of 2025
and
CrI.MP.Nos.24229 & 24230 of 2025

M.Venkatesan

...Petitioner

Vs.

1. The State rep. by,
The Inspector of Police,
T3 Pallavaram Police Station,
Pallavaram, Chennai – 600 043.
Crime No.1307 of 2016.

2. E.Rajarethinam

...Respondents

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records in CC.No.529 of 2023 pending on the file of the District Munsif Cum Judicial Magistrate, Pallavaram and quash the same.

For Petitioner : Mr.S.Praveennath

For Respondents : Mr.S.Santhosh, GA (CrI. Side), for R1



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ORDER

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When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) appearing for the 1st respondent submitted that though the petitioner has come up with the present criminal original petition seeking to quash the proceedings in CC.No.529 of 2023 pending on the file of the learned District Munsif cum Judicial Magistrate, Pallavaram, the trial in this case has already commenced and P.W.1 has also been examined.

2. At this juncture, the learned counsel for the petitioner sought permission of this Court to withdraw this criminal original petition, besides requesting a direction to the trial court to complete the trial proceedings as expeditiously as possible, as the case is of the year 2023 and only after great difficulty, the complainant had got into the box. An endorsement as regards withdrawal was also made by the learned counsel for the petitioner in this petition today. However, he sought indulgence of this Court to dispense with the personal appearance of the petitioner before the trial court.

3. In view of the above, this criminal original petition stands dismissed as withdrawn. However, acceding to the submissions made by the learned counsel for the petitioner, the presence of the petitioner before the



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trial court is dispensed with, except for receipt of copies, answering the charges, questioning under Section 313 of Cr.P.C. The petitioner shall be duly represented by his counsel before the trial court on all hearing dates. As far as the stay petition in CrI.MP.No.24229 of 2025 is concerned, the same stands closed. In respect of CrI.MP.No.24230 of 2025, which is filed for dispensing with personal appearance, the same is ordered in the above terms. As regards the request of the learned counsel for the petitioner for a direction for expeditious completion of trial, the same cannot be acceded to in the light of the judgment of the Hon'ble Supreme Court in the case of ***High Court Bar Association, Allahabad vs. State of Uttar Pradesh*** reported in ***(2024) 6 SCC 267***.

17.12.2025

skt

Index : Yes/No
Speaking order : Yes/No
Neutral Citation : Yes/No

To:

1. The District Munsif cum Judicial Magistrate,
Pallavaram.
2. The Inspector of Police,
T3 Pallavaram Police Station,
Pallavaram, Chennai – 600 043.
3. The Public Prosecutor,
High Court of Madras.

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A.D.JAGADISH CHANDIRA, J.

skt

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