



Crl.R.C.(MD)No.1287 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.1287 of 2024

and

Crl.M.P(MD)No.13127 of 2024

1.D.Vinoth Kumar

2.S.George

: Petitioners

Vs.

State of Tamil Nadu rep.by
the Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
Crime No.55 of 2021

: Respondents

PRAYER : Criminal Revision Petition filed under Sections 438 r/w 442 BNSS, to call for the records and set aside the order passed by the learned II Additional District and Sessions Court, Thoothukudi in Cr.M.P.No.6326 of 2022 in S.C.No.217 of 2022, dated 12.08.2024 and set aside the same.

For Petitioners : Mr.S.Veerapandiselvaraj

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)



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ORDER

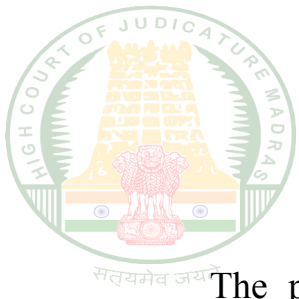
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This Criminal Revision is directed against the order passed in Cr.M.P.No.6326 of 2022 in S.C.No.217 of 2022, dated 12.08.2024 on the file of the learned II Additional District and Sessions Court, Thoothukudi, dismissing the petition for discharge filed under Section 227 of Cr.P.C.

2. The petitioners, who are the accused 2 and 3 are facing the case for the offence under Sections 285, 286, 338, 308, 304(2) of IPC and Section 9 C, 9(B)(1)(a) of Explosives Act.

3. When the matter is taken up for hearing today, the learned counsel for the petitioners would submit that the petitioners may be permitted to withdraw this revision and their appearance before the trial Court may be dispensed with and he has also made an endorsement to that effect.

4. Considering the submissions made by the learned counsel for the petitioners, this Criminal Revision Case is dismissed as withdrawn.



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The personal appearance of the petitioners before the trial Court is ordered to be dispensed with, on conditions that they shall appear at the time of initial questioning, proceedings under Section 313 of Cr.P.C., and at the time of passing judgment and on the hearings, specifically directed by the trial court. The petitioners are further directed to give an undertaking in the form of affidavit that they will be duly represented by a counsel on all hearing dates and that the Counsel representing them will cross examine the prosecution witnesses on the same day they are examined in chief. The petitioners shall not dispute the identity of the witnesses. The petitioners shall appear before the Court in the event their presence is insisted by the trial judge for the purpose of identification. If the petitioners adopt any dilatorial tactics, it is open to the Trial Court to insist for their appearance and deal with the petitioners in accordance with the judgment of Supreme Court of India, *in State of Uttar Pradesh Vs. Shambunath Singh*, reported in *2001 (4) SCC 667*.

04.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

das

To

1.The Judicial Magistrate/FTC, Karaikudi.

Order made in
Crl.R.C.(MD)No.1287 of 2024
and
Crl.M.P(MD)No.13127 of 2024

Dated: 04.03.2025