



Crl.O.P.(MD)No.816 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **28.01.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P.(MD)No.816 of 2026

and

Crl.M.P.(MD)No.821 of 2026

K.Rajesh

... Petitioner

Vs.

M.Felix Raja

... Respondent

PRAYER : Petition filed under Section 528 of BNSS, 2023 to pass an order calling for the complainant in S.T.C.No.827 of 2023 on the file of the Judicial Magistrate No.II, Padmanabhapuram and Quash the same.

For Petitioner : Mr.SC.Herold Singh



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ORDER

The petitioner seeks for quash of the order passed in S.T.C.No.827 of 2023 on the file of the Judicial Magistrate No.II, Padmanabhapuram

2. When the matter was taken up for hearing, the learned counsel appearing for the petitioner submitted that he would like to restrict the prayer seeking speedy disposal of the pending case in STC 827 of 2023 on the file of the Judicial Magistrate No.II, Padmanabhapuram, since the trial has already commenced.

3. In view of the aforesaid submission made, the learned Judicial Magistrate No.II, Padmanabhapuram is directed to conclude the trial in STC 827 of 2023 as expeditiously as possible, preferably, within a period of three months from the date of receipt of order.

4. However, considering the facts and circumstances, the personal appearance of the petitioner before the Trial Court is ordered to be dispensed with, on conditions that the petitioner shall appear at the time of initial



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questioning, proceedings under Section 313 Cr.P.C., / 351 BNSS, 2023 and at the time of passing judgment and on all the hearings, specifically directed by the Trial Court.

5. The petitioner shall appear before the Court, in the event his presence is insisted by the learned Trial Judge for the purpose of identification. If the petitioner adopts any dilatory tactics, it is open to the Trial Court to insist for his appearance and deal with the petitioner in accordance with the law laid down by the Hon'ble Supreme Court of India, in the case of *State of UP vs. Shambunath Singh*¹.

6. With the above direction, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

28.01.2026

NCC : Yes / No
Index : Yes / No
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¹ 2001 (4) SCC 667



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L.VICTORIA GOWRI, J.

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TO:-

1. The Judicial Magistrate No.II, Padmanabhapuram.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.816 of 2026

Dated
28.01.2026