

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

Crl.MC.No. 794 of 2015 ()

**CC 1487/2012 of JUDICIAL FIRST CLASS MAGISTRATE COURT-I, PARAPPANANGADI
CRIME NO. 383/2012 OF PARAPPANGADI POLICE STATION, MALAPPURAM DISTRICT**
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PETITIONER/2ND ACCUSED:

**PRAVEENA, AGED 40 YEARS
W/O.VIJAYAKUMAR @ DR SANTHOSH MENON, SANIYA VILLA
THONNANKAVU, INDUS GARDEN ROAD, VIYYUR
THRISSUR**

**BY ADVS.SRI.P.SANTHOSH (PODUVAL)
SMT.R.RAJITHA
SRI.K.D.SREEVISAKH**

RESPONDENT/DEFACTO COMPLAINANT & STATE:

- 1. STATE OF KERALA REP BY THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM**
- 2. MANJUSHA, D/O.VASU, KUNJOTTU HOUSE
PUTHENPEEDIKA, PARAPPANANGADI
MALAPPURAM-676303**

**R1 BY ADV. PUBLIC PROSECUTOR SMT. SHEEBA M.T.
R2 BY ADV. SRI.P.JAYABAL MENON
R2 BY ADV. SRI.JAGAN ABRAHAM M.GEORGE
R2 BY ADV. SMT.K.J.GISHA**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 29-10-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:**

SD

P. UBAID, J.

Crl.M.C.No.794 of 2015

Dated this the 29th day of October, 2015

O R D E R

Learned counsel for the petitioner seeks permission to withdraw the Crl.M.C. with liberty to file an application for discharge before the trial court. The learned counsel also requests for a direction to exempt the petitioner from personal appearance, till decision taken on the application for discharge. As regards insistence on personal appearance, this Court has settled the position in so many decisions. I do not think that the learned Magistrate will mechanically or unnecessarily insist on personal appearance. Any way, let that be considered and appropriately decided by the learned Magistrate. Learned counsel's submission is accepted, and the Crl.M.C. is dismissed as withdrawn, without prejudice to the right of the petitioner to make an application for discharge before the trial court.

Sd/-
P. UBAID, JUDGE

sd

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P.A. to Judge