

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.Nos.1037 to 1039 of 2015
and M.P.Nos.1 and 2 of 2015 (3 Mps)

R.F.Nathan ...Petitioner in all Crl.OPs

Vs

1.State rep.by
The Inspector of police,
District Crime Branch,
Namakkal. ... 1st Respondent in all Crl.OPs

2.M.P.P.Nagarajan ...2nd Respondent in Crl.OP.
No. 1037 of 2015

3.M.Sankar ...2nd Respondent in Crl. OP.
Nos.1038 and 1039 of 2015

Prayer:- Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure to call for the records pertaining to CC.No.244 of 2012, CC.No.20 of 2013 and CC.No.21 of 2013, respectively, pending on the file of the learned Judicial Magistrate, Tiruchengode and quash the same.

For Petitioner :Mr.R.R.Rajarathinam

For Respondents :Mr.C.Emalias,
Additional Public Prosecutor for R1

COMMON ORDER

The learned counsel for the petitioner seeks permission of this Court to withdraw these petitions and he has also made an endorsement to that effect.

2. These petitions are dismissed as withdrawn, with liberty to the petitioner, to raise all the points before the Trial Court.

3. At this juncture, the learned counsel appearing for the petitioner submitted that the presence of the petitioner may be dispensed, as the petitioner is in Bombay.

4. Recording his submissions, this Court directs the petitioner to appear before the Trial Court, for receiving copies under Section 207 of Cr.P.C., for framing the charge and for questioning under Section 313 of Cr.P.C., and at the time of judgment.

5. During the course of trial, if an application under Section 317 Cr.P.C. is filed by the petitioner with an undertaking that he will not dispute the identity, his advocate will cross-examine the prosecution witnesses in the absence of the petitioner, the Trial Court shall liberally consider the dispense with petitions.

6. If the petitioner adopts dilatory tactics, the Trial Court is entitled to insist the presence of the petitioner. The Trial Court is directed to complete the trial, within six months, from the date of receipt of a copy of this order.

7. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

mps/ds

To

1.The Inspector of Police,
District Crime Branch,
Namakkal.

2.The Judicial Magistrate,
Tiruchengode.

3.The Public Prosecutor,
High Court, Madras.

CrI.OP.Nos.1037 to 1039 of 2015
&M.P.Nos.1&2 of 2015 (3 Mps)

MP (CO)
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