

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.10897 of 2015
& MP. No.1 of 2015

Syed Mohamed Buhari Siddique .. Petitioner

Vs

1.Bharathi Cement Corporation Pvt.Ltd.,
Rep. By its AGM Marketing D.Sathis Kumar,
Registered Office
Reliance Magestic Building,
Door No.8-2-626, Road No.11,
Banjara Hills, Hyderabad-500 034,
Andhra Pradesh. ...Respondent/Complainant

1.M/s.Star Ready Mix Pvt Ltd,
Formerly known as M/s.ETA Star Ready Mix Pvt. Ltd,
Rep by its Director, Mohamed Jahufar Buhari,
Crown Court, II Floor, Old No.34, New No.128,
Cathedral Road,
Chennai-600 086. ... Respondent/1st
Accused

2.Mr.Mohamed Jahufar Bhurari, Director,
M/s.Star Ready Mix Pvt Ltd,
Formerly known as M/s.ETA Star Ready Mix Pvt Ltd,
Rep by its Director, Mohamed Jahufar Buhari,
Crown Court, II Floor, Old No.34, New No.128,
Cathedral Road,
Chennai-600 086. ...Respondent/2nd Accused

Prayer:- Criminal Original Petition filed under Section 482
Cr.P.C., to call for the records in respect of C.C.No.203 of 2015
on the file of Fast Tract Court No.IV, Metropolitan Magistrate
Court, George Town, Chennai and quash the same.

For Petitioner :Mr.V.Ramamurthy

ORDER

Since this Court is not inclined to admit this petition, the
learned Counsel for the petitioner seeks permission of this Court
to withdraw the petition. At this juncture, the learned Counsel for
the petitioner submits that the first accused is aged about 80
years old and therefore, petitioner's presence before the Trial
Court, could be dispensed with.

2. Accepting the submission of the learned Counsel for the petitioner, this Court directs the first accused to appear before the Trial Court for receiving complaint under Section 207 of Cr.P.C. for questioning, under Section 313 of Cr.P.C, on the day of passing judgment. On the other dates, the petitioner shall file a petition, undertaking that his counsel will cross examine the witness in his absence and that he will not dispute his identity. On such petition being filed, the learned magistrate shall liberally consider the same.

3. This Criminal Original Petition is dismissed with the above direction. Consequently, connected miscellaneous petition is also closed. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The IV Metropolitan Magistrate, George Town,
Chennai.

2. do thro' The Chief metropolitan Magistrate, Chennai.

+1 cc to Mr.V.Ramamurthy, Advocate, SR.27632.

Rsy(co)
krd 23/6

Cr1.OP No.10897 of 2015

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