

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.15868 of 2015

and

M.P.No.1 of 2015

Ashok Kumar

..Petitioner /Accused 2

Vs

State by

The Sub-Inspector of Police,
Central Crime Branch,
EDF-1, Team IV,
Veppery, Chennai 600 007.
(Crime No.601/2013)

..Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records in C.C.No.1125/2015 on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai and quash the same.

For Petitioner :Mr.G.Ashok Kumar

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition filed praying to call for the records in C.C.No.1125/2015 on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai and quash the same.

2.Since this Court was not inclined to admit this case, the learned counsel for the petitioner sought permission to withdraw the same. At this juncture, the learned counsel for the petitioner submitted that the presence of the accused in the trial Court may be dispensed with.

3.Accepting this submission, this Court directs the petitioner to appear before the trial Court for receiving the papers under Section 207 Cr.P.C.; for framing of charges; for questioning under Section 313 Cr.P.C., and on the date of judgment. As regards the other dates, the petitioner shall file a petition undertaking that his counsel will cross examine the witnesses in his absence and will not seek unnecessary adjournment. He shall also give an

undertaking that he will not dispute the identity. Hence, on such a petition being filed, the trial Court is directed to liberally consider the same.

4. With the above observations, this criminal original petition is dismissed. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The Sub-Inspector of Police,
Central Crime Branch,
EDF-1, Team IV,
Veppery, Chennai 600 007.
(Crime No. 601/2013)

2. The XI Metropolitan Magistrate,
Saidapet, Chennai.

3. The Public Prosecutor,
High Court,
Madras.

+1 cc to Mr. G. Ashokkumar, advocate, SR. 32064.

Ctk(co)
krd 6/7

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सत्यमेव जयते

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