

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.16369 of 2015
and M.P.Nos.1 and 2 of 2015

M.R.Suhail Ahamed ... Petitioner/Accused

Vs

O.K.Tajuddin ... Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in CC.No.154 of 2007 on the file of the learned Judicial Magistrate, Gudiyattam and to quash the same.

For Petitioner :Mr.V.V.Sairam

ORDER

This petition has been filed to quash the proceedings in CC.No.154 of 2007 on the file of the learned Judicial Magistrate, Gudiyattam.

2.Heard the learned counsel for the petitioner and perused the material placed on record.

3.Considering the submissions made by the learned counsel for the petitioner, this Court is not inclined to admit this petition at this stage.

4.The learned counsel for the petitioner seeks permission of this Court to withdraw this petition with liberty to raise all the points before the trial Court.

5.Hence, this petition is dismissed with liberty to raise all the points before the trial Court.

6.The learned counsel for the petitioner submitted that the petitioner/accused is in Karnataka State and the prosecution is before the Gudiyattam Court and that he finds it very difficult to come for further hearings.

7.Accepting the submission of the learned counsel for the petitioner, this Court directs the petitioner to appear before the

trial Court for collecting the papers under Section 207 CrPC for answering the charge and also for answering the question under Section 313 CrPC and on the day of Judgment. For the other hearings, the petitioner shall file a petition before the trial Court that his counsel will cross examine the witnesses without insisting for his presence and that he will not dispute their identity. On such petition being filed, the trial Court is directed to liberally consider the same. Consequently, connected Miscellaneous Petitions are closed.

mps

s/d-
Assistant Registrar(CO)

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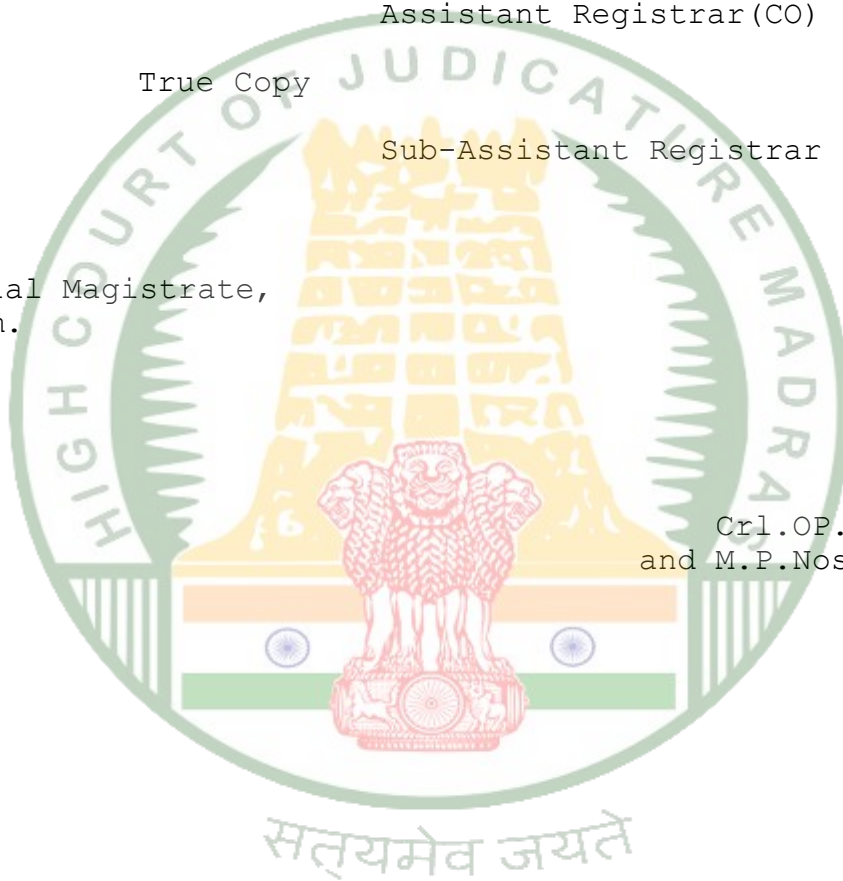
Sub-Assistant Registrar

To

The Judicial Magistrate,
Gudiyattam.

sr(co)
prk14/7

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