

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.16686 of 2015

and

M.P.Nos.1&2 of 2015

1.Ponnusamy
2.Palaniammal

.. Petitioners

Vs

1.State Rep by
The Inspector of Police,
All Women Police station,
Thudiyalur,
Coimbatore.

2.Mrs.S.Sangeetha

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the proceedings pending trial in C.C.No.7 of 2015 on the file of the Learned Judicial Magistrate No.1, Coimbatore and quash the same.

For Petitioners :Mr.M.Vijayakumaran

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

ORDER

Seeking a direction to the Learned Judicial Magistrate No.1, Coimbatore, to call for the records pertaining to the proceedings pending trial in C.C.No.7 of 2015 pending on his file and quash the same.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent.

3.When this Court was about to dismiss the petition on merits, the learned Counsel for the petitioners sought permission for withdrawal with liberty to raise all the points before the Trial Court. This petition is dismissed as withdrawn with liberty to raise all the points before the Trial Court.

4.The learned counsel for the petitioners submitted that the petitioners are aged persons and that their presence before the Trial Court could be dispensed with. Accepting the submission of the learned counsel for the petitioners, this Court directs the petitioners to appear before the Trial Court for collecting the papers under Section 207 Cr.P.C for answering the charge and also for answering the question under Section 313 Cr.P.C and on the day of Judgment. For the other hearings, the petitioners shall file a petition before the Trial Court that their counsel will cross examine the witnesses without insisting for their presence and that they 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 also closed.

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s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
All Women Police station,
Thudiyalur,
Coimbatore.
2. The Public Prosecutor,
High Court, Madras.

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