

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.17413 of 2015 and

M.P.Nos.1 & 2 of 2015

Sankari

Vs

.. Petitioner

1.The State by
Sub-Inspector of Police,
Tindivanam Police Station,
Villupuram District.

2.Gnanasekar

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the case in C.C.No.109/2015 on the file of the learned Judicial Magistrate No.1, Tindivanam, Villupuram District and quash the same as far as the petitioner is concerned.

For Petitioner : Mr.I.C.Vasudevan

For R.1 : Mr.C.Emalias,

Additional Public Prosecutor

ORDER

When this Court was about to dismiss the petition on merits, the learned counsel for the petitioner sought permission to withdraw the petition and he has also made an endorsement to that effect.

2.The learned counsel for the petitioner submits that the petitioner/accused is a lady and hence, her appearance before the trial Court may be dispensed with.

3.Accepting the submission made by the learned counsel for the petitioner, the petitioner is directed to appear before the trial Court to receive the final report and other relevant documents under Section 207 Cr.P.C., for the purpose of answering the charges; at the time of examination under Section 313 Cr.P.C., and at the time of pronouncing judgement. The trial Court shall liberally consider the petition to be filed by the petitioner under Section 317 Cr.P.C., provided, if she is represented by learned counsel and on further condition that the petitioner shall not

dispute her identity and that she will cross examine the witness and not adopt any dilatory tactics so as to drag the trial Court proceedings. Further, if the petitioner fails to follow the above conditions, then, the trial Court shall insist for the appearance of the petitioner.

4. With the above observations, the Criminal Original Petition is dismissed as withdrawn however with liberty to the petitioner to raise all the points before the trial Court. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst. Registrar (CO)

/true copy/

Sub Asst. Registrar

jbm

To

1. The Judicial Magistrate No.1,
Tindivanam, Villupuram.
2. The Sub-Inspector of Police,
Tindivanam Police Station,
Villupuram District.
3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr. I. C. Vasudevan, Advocate, rs. 35679.

kji (co)
kra (27/07)

सत्यमेव जयते

Cr1.OP No.17413 of 2015

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