

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2015

CORAM

The Hon'ble Mr. Justice P.N.PRAKASH

Crl.O.P.No.17649 of 2015

and

M.P.Nos.1 and 2 of 2015

Srimathi

...Petitioner

vs.

1. The State, rep. by
Sub Inspector of Police,
Central Crime Branch,
Egmore, Chennai.
2. M.Thangaraj
Thahsildar
Mylapore, Triplicane Taluk,
Chennai 600 028.

...Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to call for records in C.C.No.64 of 2013, on the file of the XI Metropolitan Magistrate, Saidapet, Chennai, in X Crime No.418 of 2005, on the file of the Sub Inspector of Police, Central Crime Branch, Egmore, Chennai.

For Petitioner : Mr.R.Muniyapparaj

For Respondent-1: Mr.C.Emalias
Additional Public Prosecutor

O R D E R

When this Court expressed its view to dismiss the case on merits, the learned counsel appearing for the petitioner sought permission to withdraw this Criminal Original Petition with liberty to raise all issues before the Trial Court. The learned counsel has also made an endorsement to that effect in the Petition today.

2. In view of the endorsement made by the learned counsel for the petitioner, permission is granted and the Criminal Original Petition is dismissed as withdrawn with liberty to raise all issues before the Trial Court. At this juncture, the learned counsel for the petitioner submitted that the petitioner is appearing before the

Trial Court on all hearing dates, though the Hon'ble Supreme Court has made it clear in the Special Leave Petition, preferred by the State of Tamil Nadu against the judgment passed by the First Bench of this Court that trial in respect of land grabbing cases shall not proceed and investigation alone shall proceed with. Hence, the learned counsel prayed that the presence of the petitioner before the Trial Court for future hearing dates may be dispensed with till the disposal of the Special Leave Petition by the Hon'ble Supreme Court.

3. In view of the abovesaid submission and also taking into consideration the pendency of the Special Leave Petition before the Hon'ble Supreme Court, the presence of the petitioner before the Trial Court is dispensed with till the disposal of the Special Leave Petition by the Hon'ble Supreme Court. Accordingly, M.P.No.2 of 2015 is ordered and M.P.No.1 of 2015 is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sd

To

1. The XI Metropolitan Magistrate,
Saidapet, Chennai-15.

2. Sub Inspector of Police,
Central Crime Branch,
Egmore, Chennai.

2. The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

Cr1.O.P.No.17649 of 2015

GGK(CO)
Eu 05.08.15

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