

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2015

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.21982 of 2015
and
M.P.No.1 of 2015

1.Dr.E.Babu
2.Ezhumalai
3.Jothi

...Petitioners

Vs.

1. The Station House Officer,
All Women Police Station,
Villianur (Crime No.23/2012)
Pondicherry.

2. Dr.Seethalakshmi

...Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Cr.P.C., praying to call for the records in C.C.No.60/2013 on the file of the Chief Judicial Magistrate, Pondicherry and quash the charge sheet in C.C.No.60/2013 dated 11.03.2013.

For Petitioner : Mr.B.Sathish Sundar

For Respondent : Mr.C.Emalias [R1]
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed praying to quash the charge sheet in C.C.No.60 of 2013 on the file of the Chief Judicial Magistrate, Pondicherry.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor for the first respondent.

3. When this court was about to dismiss this petition on merits, the learned counsel for the petitioner sought permission to withdraw this petition, with liberty to raise all the points before the Trial Court and has made an endorsement to that effect. In view of the same, this Criminal Original Petition is dismissed as withdrawn to raise all the points before the Trial Court. M.P.No.1 of 2015 is closed.

4. At this juncture, the learned counsel for the petitioner seeks permission for dispensing with the personal appearance of the petitioners in the Trial Court. Recording his submission, this Court directs the petitioners/ Ezhumalai (A2) and Jothi (A3) to appear before the Trial Court, for receiving copies under Section 207 of Cr.P.C. for framing charges and for questioning under Section 313 of Cr.P.C., and on the date of judgment. For 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 the identity.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

ds

To

1. The Station House Officer,
All Women Police Station,
Villianur (Crime No.23/2012)
Pondicherry.

2. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.B.Sathish Sundar, Advocate SR.No. 47408

VSN (CO)
PSI (22.09.2015)

Cr1.O.P.No.21982 of 2015