

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.24546 of 2015
and
M.P.Nos.1 & 2 of 2015

R.Ilakkiya

.. Petitioner/Accused
No.2.

Vs.

1. The State of Tamil Nadu,
Rep.by the Inspector of Police,
Panamadangi police Station (Women's Wing)
Katpadi, Vellore District.

2. Rub @ Pinky, ... Respondent/Complainant &
Defacto Complainant

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records in C.C.No.150 of 2015 on the file of the learned Judicial Magistrate, Katpadi, Vellore District and quash the same only in so far as it relates to the petitioner.

For Petitioner : Mr.K.Selvaraj

For Respondent : Mr.C.Emalias
No.1 Additional Public Prosecutor

O R D E R

This criminal original petition has been filed to call for the records in C.C.No.150 of 2015 on the file of the learned Judicial Magistrate, Katpadi, Vellore District and quash the same only in so far as it relates to the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing 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 he has also made an endorsement to that effect.

4. In view of the above endorsement made by the learned counsel for the petitioner, this petition is dismissed as withdrawn with liberty to raise all the points before the trial Court. Consequently, connected miscellaneous petitions are closed.

5. At this juncture, Mr.K.Selvaraj, learned counsel for the petitioner submitted that the petitioner is a girl, who is studying in MCA Course, II year in Kudiyatham and her appearance may be dispensed with.

6. Accepting the submission of the learned counsel for the petitioner, the petitioner is directed to appear before the trial Court for receiving the copies under Section 207 Cr.P.C. for framing charge; for answering questions under Section 313 Cr.P.C and on the date of judgment. On the other dates, if the petitioner files an application that she will not dispute her identity and that, her counsel will cross-examine the witnesses in her absence without adopting dilatory tactics, then, the trial Court may dispense with the appearance of the petitioner. If the petitioner adopts dilatory tactics, the trial Court can insist upon the petitioner to be present before the Court.

Sms

Sd/-
Assistant Registrar (C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The Judicial Magistrate,
Katpadi, Vellore District
2. The Chief Judicial Magistrate,
Vellore (For Information)
3. The Inspector of Police,
Panamadangi Police Station (Women's Wing)
Katpadi, Vellore District
4. The Public Prosecutor,
High court, Chennai - 600 104

+1 C.C. To MR.K.Selvaraj, Advocate in SR.NO.54424

CRL.OP.No.24546 of 2015
and
M.P.Nos.1 & 2 of 2015

MSM(CO)
sd : 14/10/2015