



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.01.2015

CORAM

THE HON'BLE MR.JUSTICE C.T.SELVAM

CRL.O.P. (MD) No.23087 of 2014
and M.P. (MD) Nos.1 and 2 of 2014

WEB COPY

1.Balaguru
2.Kalavathi
3.Ashok
4.Mangalraj

.. Petitioners/Accused 1,2,4 & 5

.. Vs ..

1.State through the Inspector of Police,
West Police Station,
Dindigul Town,

.. Respondent/Complainant

2.Nagaraj

.. Respondent/Defacto complainant

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to call for the records from the file of the Judicial Magistrate Court No.1, Dindigul in C.C.No.408 of 2010 and to quash the same as it has no prima facie case against the petitioners.

For Petitioner : Mr.N.Ananthapadmanabhan
For 1st Respondent : Mr.K.V.Rajarajan
Government Advocate (Crl. Side)

O R D E R

Learned counsel for the petitioners seeks permission of this Court to withdraw this Criminal Original Petition. He has also made an endorsement to that effect.

2.In view of the same, this Criminal Original Petition is dismissed as withdrawn. However, considering the nature of the case, that the same arises as a result of a dispute over properties between relatives, that the petitioners 1 and 2 are residing abroad, this Court directs the trial Court to dispense with the personal appearance of petitioners before it, upon their swearing to an affidavit informing their address for service, that they duly would be represented by their counsel on all hearing dates, that they would, at no instance, dispute their identity and that, they would appear before the trial court as and when required. Upon the petitioners doing so, the trial court may seek the presence of the petitioners before it, solely on the important hearing dates. Since the petitioners 1 and 2 are residing abroad, their affidavit may be executed before a notary at their place of stay and adjudicated to stamp duty here. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(T&P)

/True copy/



sj
To

1.The Judicial Magistrate NO.1, Dindigul.

2.The Inspector of Police,
West Police Station, Dindigul Town.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to MR.N.ANANTHAPADMANABAN, ADVOCATE IN SR NO. 3589

CRL.O.P. (MD) No.23087 of 2014
and MP (MD) NO.1 and 2 of 2014
27.01.2015

rg.13.02.2015 2p.5c.