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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2015

CORAM:

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

Cr1.O.P. (MD)No.2793 of 2015
and
M.P. (MD)Nos.1 and 2 of 2015

N.Mahendran ... Petitioner / A1

Vs.

1. The State Rep.by
The Inspector of Police,
Karuppayoorani Police Station,
Madurai District
Cr.No.194/2013 ... 1st Respondent / Complainant
- 2.Muthukumaran ... 2nd Respondent / Defacto
Complainant

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records in connection with the impugned charge sheet in C.C.No.371 of 2014 pending trial on the file of the Judicial Magistrate No.2, Madurai and quash the same.

For Petitioner : Mr.N.Sathish Babu

For Respondent-1 : Mr.K.Anbarasan, G.A (Cr1.side)

O R D E R

The Petitioner seeks to quash the Charge Sheet in C.C.No.371 of 2014, pending trial on the file of learned Judicial Magistrate No.2, Madurai.

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

3. Recording the said endorsement, this Criminal Original Petition is dismissed as withdrawn. However, taking note of the submission made by learned counsel appearing for petitioner that petitioner had served as BDO and has not been permitted to retire owing to pendency of this case, this Court directs the trial Court to dispense with the personal appearance of petitioner before it, upon his swearing to an affidavit informing his address for service, that he duly would be represented by his counsel on all hearing dates, that he would, at no instance, dispute his identity and that, he would appear before the trial court as and when required. Upon the petitioner doing so, the trial court may seek the presence of the petitioners before it, solely on the important hearing



dates. Further, the trial Court dispose of the case not later than six months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed.

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/True copy/

Sd/-
Assistant Registrar (T&P)

Sub Assistant Registrar

To

1. The Judicial Magistrate No.2, Madurai

2. The Inspector of Police,
Karuppayoorani Police Station,
Madurai District3. The Addl. Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.N.Sathish Babu, Advocate (SR.No.10193)

sm:24.03.2015:2P/5C

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