

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP No.12210 of 2016
and
Crl.MP.No.6277 of 2016

1.Santha Sivakumar
2.Swapna Sreekumar .. Petitioners

Vs

M/s.Shri Veeraganapathy Steels Pvt. Ltd.,
Rep.by its Managing Director,
Mr.Narayan Maheswari,
177/2, Poonamallee High Road,
Legend Apartments, Flat No.703,
Kilpauk, Chennai. 600 010 .. Respondent

Prayer:- Criminal Original Petition filed to call for the records in C.C.No.1239 of 2016 on the file of the VII Metropolitan Magistrate Court, George Town, Chennai and quash the proceedings against the petitioners.

For Petitioners :Mr.K.Kalimuthu

ORDER

When this court was about to dismiss this petition on merits, the learned counsel for the petitioners seeks permission of this Court 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. At this juncture, the learned counsel for the petitioners sought dispense with the personal appearance of the petitioners.

2. In view of the above endorsement made by the learned counsel for the petitioners, this petition is dismissed as withdrawn with liberty to the petitioners to raise all the points before the trial Court.

3. The petitioners shall furnish a bond of Rs.10,000/- with two sureties under Section 88 Cr.P.C. to the satisfaction of the learned VII Metropolitan Magistrate, George Town, Chennai. The petitioners are directed to be present for receiving the complaint, for answering the charge, at the time of questioning under Section 313 Cr.P.C. and at the time of passing judgment. The petitioners shall file affidavit of undertaking, before the trial Court that they will not dispute their identity and that

their counsel will cross-examine the prosecution witnesses on the day they are examined in -chief and that they will not adopt dilatory tactics. On such undertaking, the trial Court shall dispense with the personal appearance of the petitioners. If the petitioners adopts any dilatory tactics, the trial Court can insist on their presence. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

sms

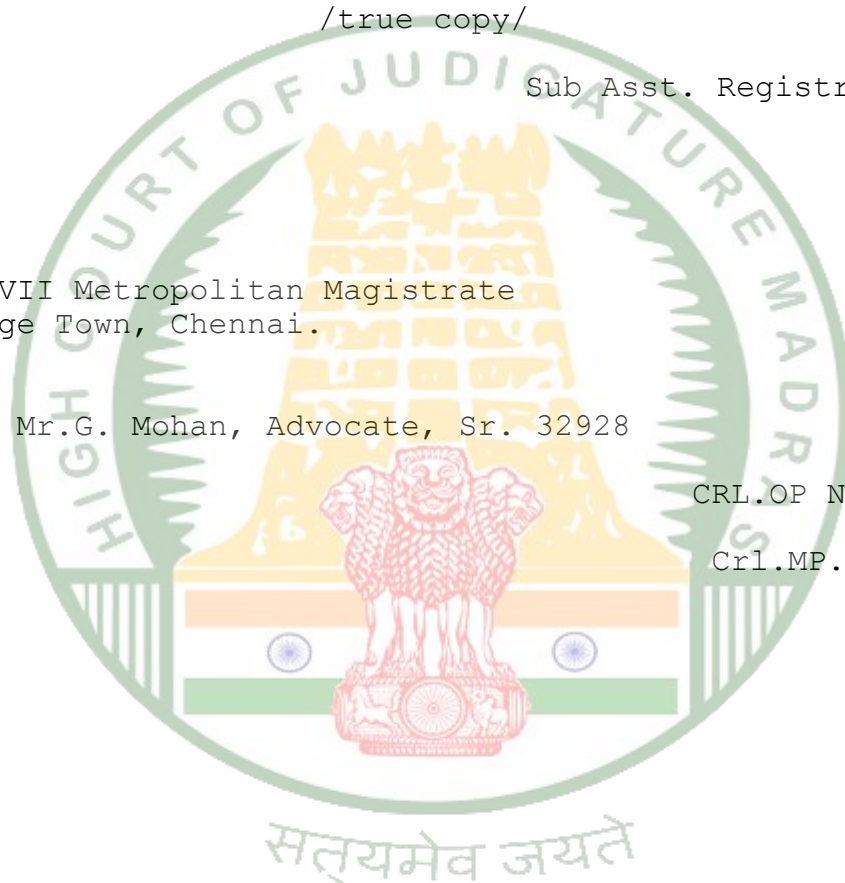
To

1. The VII Metropolitan Magistrate
George Town, Chennai.

1 cc to Mr.G. Mohan, Advocate, Sr. 32928

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