

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl. O.P. No.22114 of 2015
& M.P.No.1 of 2015

Riya David	..	Petitioner / Accused
<i>Versus</i>		
K.Lakshmi Narayanan Sharma	..	Respondent/ Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records and quash the complaint in C.C.No.4468 of 2014 on the file of the III Fast Track Metropolitan Magistrate, Saidapet, Chennai and quash the same.

For Petitioner	:	Mr.R.Venkatesh
For Respondent	:	Mr.A.Arun Babu

ORDER

When this Court was about to dismiss the case on merits, the learned counsel for the petitioner seeks permission of this Court to withdraw this petition and he has also made an endorsement to that effect. At this juncture, the learned counsel for the petitioner sought dispense with the personal appearance of the petitioner.

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 In view of the above endorsement made by the learned counsel for the petitioner, this petition is dismissed as withdrawn, with liberty to the petitioner to raise all the points before the trial Court.

P.N.PRAKASH, J.

sri

3. The petitioner shall furnish a bond of Rs.5,000/- with two sureties under Section 88 Cr.P.C. to the satisfaction of the learned III Fast Track Metropolitan Magistrate, Saidapet, Chennai. The petitioner is directed to be present for receiving the charge sheet, for answering the charge, at the time of questioning under Section 313 Cr.P.C. and at the time of passing judgment. The petitioner shall file an affidavit of undertaking, before the trial Court that she will not dispute her identity and that her counsel will cross-examine the prosecution witnesses on the day, they are examined in-chief and that she will not adopt dilatory tactics. On such undertaking, the trial Court shall dispense with the personal appearance of the petitioner. If the petitioner adopts any dilatory tactics, the trial Court can insist on her presence. Consequently, connected Miscellaneous Petition is closed.

12.07.2016

Index : Yes / No
Internet : Yes
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To

The Metropolitan Magistrate,
III Fast Track, Saidapet, Chennai.

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