

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.24598 of 2013 and
M.P.No.1 of 2013

1.Suresh
2.Suseela ... Petitioners

Vs

1.State of Tamil Nadu
Rep by the
Assistant Commissioner of Police
Royapuram Range
Royapuram, Chennai
Cr.No.71/08

2.D.Raja ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to pass an order to withdraw the case in S.C.No.451/2008 now pending on the file of the Hon'ble Mahila Court at Chennai and transfer the same to the file of any other Mahila Court out of Chennai District.

For petitioners : Mr.J.B.Solomon Peter Kamaladoss
For R1 : Mr.C.Emalias

Addl.Public Prosecutor

O R D E R

This petition has been filed to pass an order to withdraw the case in S.C.No.451/2008 now pending on the file of the Hon'ble Mahila Court at Chennai and transfer the same to the file of any other Mahila Court out of Chennai District.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State.

3. When the matter was taken up for hearing, learned counsel for the petitioners sought permission of this Court to withdraw this petition and he has also made an endorsement to that effect. Permission is granted. Accordingly, this petition is dismissed as withdrawn.

4. Since this case is of the year 2008, this Court directs the trial Court to complete the trial within a period of three months from the date of receipt of a copy of this order. The trial Court shall ensure that the accused cross examines the witnesses on the same they are examined-in-chief as directed by the Supreme Court in Vinoth Kumar vs. State of Punjab [2015(1) MLJ (crl) 288]. If the petitioner adopts any dilatory tactics, it is open to the trial Court to remand him to custody in terms of the law laid down by the Supreme Court in State of Uttar Pradesh v. Shambjunath Singh [JT 2001 (4) SC 319]. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

- 1.The Assistant Commissioner of Police
Royapuram Range, Royapuram, Chennai.
- 2.The Public Prosecutor,
High Court,
Chennai.

+1cc to Mr. J.B.Soloman Peter, Advocate Sr.34818

Cr1.OP No.24598 of 2013

lrs[co]
srg 14/07/2016

सत्यमेव जयते

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