

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.25649 of 2016

and

Crl.M.P.Nos. 12490 and 12491 of 2016

1. W. Jawahar Paulraj
2. V. Arunagiriselvam ... Petitioner

Vs

1. The State of Tamil Nadu
rep. by the Inspector of Police
City Crime Branch
Coimbatore City
Coimbatore.
2. J. Annaraj ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the entire records in C.C. No.537 of 2012 on the file of the Judicial Magistrate No.VII, Coimbatore and quash the same so far as the petitioners are concerned and pass further orders.

For Petitioners : Mr. D. Shivakumaran

For R-1 : Mr.C.Emalias,
Addl.Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C. No.537 of 2012 on the file of the Judicial Magistrate No.VII, Coimbatore, so far as the petitioners are concerned.

2. When this Court was about to dismiss the case on merits, the learned counsel for the petitioners sought permission of this Court to withdraw this petition.

3. It is seen that the case is pending from the year 2012, in C.C. No.537 of 2012 and the third accused Mr.Jitesh Gajaria, who is the owner of the service company has been shown as an absconding accused and

has not yet been secured. Whereas the petitioners namely, first and second accused, are regularly attending the trial court, since 2012. Under such circumstances, the trial court is directed to take action under Rule 17 of the Criminal Rules of Practice and Circular Orders, and split up and the case with regard to the absconding accused and proceed as against the accused 1 and 2/ the petitioners.

4. With the above direction, the criminal original petition is closed, with liberty to rise all the points before the trial court. Consequently, the connected Miscellaneous petitions are closed.

avr

Sd/-
Assistant Registrar (CS-)

/TRUE COPY/

Sub-Assistant Registrar

To

1. The Inspector of Police
City Crime Branch
Coimbatore City
2. The Judicial Magistrate - VII
Coimbatore.
3. The Public Prosecutor
High Court of Madras
Chennai 600 104

+1 CC Mr. D. Shivakumaran Advocate SR.No.69364

CrI.O.P. No.25649 of 2016
and
CrI.M.P.Nos. 12490 and
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NM [CO]

MSI 12/01/2017