



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2016

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.1330 of 2016

and

Crl.M.P. (MD) Nos.671 and 672 of 2016

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1.Karuppasamy Thevar

2.Velusamy Thevar

3.Subbiah Thevar

4.Subbiah

5.Chelladurai

... Petitioners /Accused Nos.1,2 and 4 to 6
Vs.

1.State represented by

The Inspector of Police,

Kayathar Police Station,

Tuticorin District,

In Crime No.285 of 2015

... 1st Respondent/Complainant

2.K.Satheesh Narayanakumar

... 2nd Respondent/

Defacto Complainant

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with C.C.No.532 of 2015 on the file of the learned Judicial Magistrate No.II, Kovilpatti and quash the same.

For Petitioners

... Mr.G.R.Swaminathan

for Mr.M.Veilkaniraju

For Respondents

... Mr.C.Mayilvahan Rajendran

Additional Public Prosecutor

for R.1

* * * *

ORDER

The learned Counsel for the petitioners seeks permission of this Court to withdraw this Criminal Original Petition with liberty to file discharge application and he has also made an endorsement to that effect.

2. In view of the same, this Criminal Original Petition is dismissed as withdrawn with liberty to the accused to file discharge application under Section 239 of the Code of Criminal Procedure, if the trial Court has not framed charges. The trial Court shall, without waiting for discharge application from the accused, hear the prosecution and the accused and analyse the record for the purpose of framing charges or discharging the accused as contemplated under Section 239 of the Criminal Original Petition. The trial Court shall not entertain



piece meal discharge applications from one accused after the other and prolong the trial. Consequently, the connected Miscellaneous Petitions are also dismissed.

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/True Copy/

Sd/-

Assistant Registrar(AS)

Sub-Assistant Registrar

To

- 1.The Judicial Magistrate Court No.II, Kovilpatti
- 2.Do through the Chief Judicial Magistrate, Tuticorin District
3. The Inspector of Police,
Kayathar Police Station,
Tuticorin District,
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ssl

RL/5C/AAL/MPA/11/2/2016

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and
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