



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2016

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P.No.3344 of 2016

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Anees Mohamed Saleem

. Petitioner/Sole Accused

Vs.

1.The State rep. by
The Inspector of Police,
Town Police Station,
Tirunelveli,
Tirunelveli District.
(In Crime No.1449/2012)

2.Perumal

.. Respondent/Defacto complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records in connection with C.C.No.1 of 2013 on the file of the learned Judicial Magistrate No.IV, Tirunelveli, Tirunelveli District and quash the same.

For Petitioner :: Mr.S.Palanivelayutham

For Respondent :: Mrs.S.Prabha
Government Advocate (Crl. Side)

O R D E R

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking to quash the proceedings in C.C.No.1 of 2013 on the file of the learned Judicial Magistrate No.IV, Tirunelveli, Tirunelveli District.

2. It is the case of the year 2013 and taking into consideration of the nature of allegations levelled in the charge sheet, this Court is not inclined to quash the charge sheet at this Stage. However, the trial court is directed to complete the trial within a period of six months from the date of receipt of copy of this order. At this stage, the learned counsel for the petitioner submitted that the presence of the petitioner may be dispensed with.

3. Accepting the submission, this Court directs the petitioner to appear before the Trial Court for collecting the final report and other papers under Section 207 Cr.P.C., at the time of framing charges, for questioning under Section 313 Cr.P.C. and on the day of judgment. On all other dates, if the petitioner file an application under Section 317 Cr.P.C., undertaking that he will not dispute his identity and that his counsel will cross-examine the prosecution witnesses in his absence without adopting dilatory tactics, the Trial Court may liberally consider and entertain the same. If the petitioner adopts any dilatory



4. With the above direction, the criminal original petition is closed. Consequently connected Miscellaneous Petitions in CrI.M.P.Nos.1702 and 1703 of 2016 are closed.

Sd/

Assistant Registrar(W)

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Sub Assistant Registrar(C.S)
Madurai Bench of Madras High Court,
Madurai.

To

1.The Judicial Magistrate NO.IV,
Tirunelveli.

2.The Inspector of Police,
Town Police Station,
Tirunelveli, Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.S.Palanivelayutham, Advocate in SR.No.11353

CrI. O.P. (MD) No.3344 of 2016
26.02.2016

CM

PA/GSV-PM/10.03.2016/2P/5C