



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:16.03.2016

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.(MD) No.4590 of 2016 &
Cr1.M.P.(MD).Nos.2301 and 2302 of 2016

1.K.Murugan
2.Krishnaveni
3.Mani
4.Susila

... Petitioners/Accused Nos.3 to 6

-vs-

1.State represented by
The Inspector of Police,
All Women Police Station,
Kottai,
Trichy District.
(Crime No.28 of 2015)
2.Muthulakshmi

... Respondent/Complainant

...Respondent/Defacto complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to call for the records pertaining to the case in C.C.No.18 of 2016 on the file of the Judicial Magistrate, Additional Mahila Court, Trichy and quash the same, in so far as the petitioners concerned.

For Petitioners : Ms.V.P.M.Vaishnavi
For R1 : Ms.S.Prabha
Government Advocate (Cr1.Side)

O R D E R

As this Court is inclined to dismiss the petition on merits, learned counsel for the petitioners seeks permission of this Court to withdraw this petition and he has also made an endorsement to that effect. In view of the same, the petition is dismissed as withdrawn. Connected miscellaneous petitions are closed.

2. At this juncture, learned counsel for the petitioners submits that as the petitioners are aged, their presence before the Trial Court be dispensed with.



3. Taking into consideration the age of the petitioners, this Court directs the petitioners 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 petitioners file an application under Section 317 Cr.P.C., undertaking that they will not dispute their identity and that their counsel will cross-examine the prosecution witnesses in their absence without adopting dilatory tactics, the Trial Court may liberally consider and entertain the same. If the petitioners adopt any dilatory tactics, it is open to the Trial Court to insist upon their presence.

4. The petitioners are further directed to furnish a bond under Section 88 Cr.P.C. with two sureties for Rs.10,000/- (Rupees Ten Thousand only) each to the satisfaction of the learned Judicial Magistrate, Additional Mahila Court, Trichy.

Sd/
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To:

- 1 The Judicial Magistrate,
Additional Mahila Court, Trichy.
- 2 The Inspector of Police,
All Women Police Station,
Kottai, Trichy District.
- 3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/S. V.P.M.Vaishnavi, Advocate, SR.No. 15067

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