



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD) No.4771 of 2016

and

Crl.M.P. (MD) .Nos.2380 and 2381 of 2016

1. Palaniyammal
2. Ponnaiah
3. Mani

... Petitioners

Vs.

1. The Sub Inspector of Police,
Valanadu Police Station
in Crime No.393 of 2015
Trichy District.

2. Nadhiya

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the charge sheet in C.C.No.8 of 2016 on the file of the learned Judicial Magistrate, Manaparai, Trichy and quash the same.

For Petitioners : Mr.A.Prasanna Rajadurai for
Mr.S.Muthalraj

For R1 : Mrs.S.Prabha
Government Advocate (Crl.Side)

O R D E R

The Criminal Original Petition has been filed to call for the records pertaining to the charge sheet in C.C.No.8 of 2016 on the file of the learned Judicial Magistrate, Manaparai, Trichy and quash the same.

2. As this Court is about to dismiss the criminal original petition, the learned counsel appearing for the petitioners seeks permission of this Court to withdraw the same and he has also made an endorsement to that effect.

3. In view of the above, the criminal original petition is dismissed as withdrawn. Consequently, the connected Miscellaneous Petitions are closed.



4. At this juncture, the learned counsel appearing for the petitioners has submitted that the presence of the first petitioner before the trial Court may be dispensed with.

5. Accepting the submission, this Court directs the first 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 first petitioner file an application under Section 317 Cr.P.C., undertaking that she will not dispute her identity and that her counsel will cross-examine the prosecution witnesses in her absence without adopting dilatory tactics, the trial Court may liberally consider and entertain the same. If the first petitioner adopt any dilatory tactics, it is open to the trial Court to insist upon her presence.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

1. The Sub Inspector of Police,
Valanadu Police Station, Trichy District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+one cc to M/s.Na. Palaniyandi, Advocate in SR.No.19876

akv

CSL/SKS-RR/03.05.2016 : 2p/4c

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