



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD)No.5249 of 2016

and

Crl.M.P. (MD) .Nos.2592 and 2593 of 2016

Jeyapandi

... Petitioner

Vs.

1. State represented by its
Sub Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
In Crime No.155 of 2015.

2. Panchavarnakili

... Respondents

Prayer:Criminal Original Petition is filed under Section 482 of Cr.P.C., to quash the charge sheet in C.C.No.210 of 2015 on the file of the District Munsif cum Judicial Magistrate Court, Nanguneri dated 04.11.2015.

For Petitioner : Mr.J.C.Rathinavel Pandian
For R1 : Mrs.S.Prabha
Government Advocate (Crl.Side)

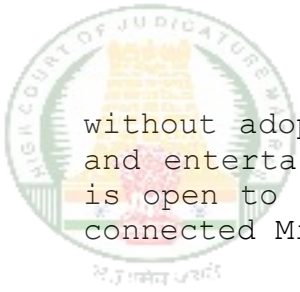
ORDER

The learned counsel for the petitioner seeks permission of this Court to withdraw this Criminal Original Petition and he has also made an endorsement to that effect.

2. In view of the above, this Criminal Original Petition is dismissed as withdrawn, with liberty to raise all the points before the trial Court. The trial Court is directed to expeditiously conduct the trial.

3. At this juncture, learned counsel appearing for the petitioner submits that the presence of the petitioner before the Trial Court may be dispensed with.

4. 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 adopt any dilatory tactics, it is open to the Trial Court to insist upon his presence. Consequently, the connected Miscellaneous Petitions are closed.

WEB COPY

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

1. The District Munsif-cum-Judicial Magistrate,
Nanguneri.
2. The Sub Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO M/S.J.C.RATHNAVEL PANDIAN, ADVOCATE IN SR No. 17163

AKV

TE/GSV-PM/ : 11/04/2016 : 2P/5C

Cr1.O.P. (MD) No. 5249 of 2016
and

Cr1.M.P. (MD) .Nos. 2592 and 2593 of 2016
28.03.2016