



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2016

CORAM

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.(MD)No.5622 of 2016

and

Cr1.M.P.(MD)Nos.2792 and 2793 of 2016

Laxmanan

...Petitioners/Accused No.4

Vs

The Inspector of Police,
Theriruvveli Police Station,
Muthukulathur,
Ramanathapuram District.
Crime NO.19 of 2015

... Respondent/Defacto Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.145 of 2015 on the file of the Judicial Magistrate, Mudhukulathoor, Ramnad District and quash the same as against the petitioner.

For Petitioner : Mr.G.Karuppasamy Pandian

For Respondent : Mrs.S.Prabha
Government Advocate (Cr1.Side)

O R D E R

The learned Counsel appearing 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 In view of the above, this Criminal Original Petition is dismissed as withdrawn, with liberty to raise all the points before the trial Court.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. Consequently, the connected Miscellaneous Petitions are also dismissed.

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 files 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 tactics, it is open to the Trial Court to insist upon his presence.

Sd/-

Assistant Registrar(Writ)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Inspector of Police,
Theriruvveli Police Station,
Muthukulathur,
Ramanathapuram District.
2. The Judicial Magistrate Court, Mudhukulathoor,
Ramnad District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to Mr.G. Karuppasamy Pandian, Advocate, Sr.No.18610

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JM/AAL-MPA/12.04.2016/2P-5C

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