



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.5775 of 2016andCrl.M.P.(MD) Nos.2854 & 2855 of 2016

Ameena

... Petitioner / Accused
vs.

1.The Inspector of Police
Maraneri Police Station
Sivakasi Town Circle
Virudhunagar District
(in Crime No.19 of 2015) ... 1st Respondent / Complainant

2.Pandiammal ... 2nd Respondent / *De facto*
complainant

PRAYER: This petition is filed under Section 482 Cr.P.C., to call for the records relating to the impugned charge sheet filed in S.C.No.141 of 2015, on the file of the Hon'ble Assistant Sessions Judge, Sivakasi, Virudhunagar District and to quash the same as illegal in respect of the petitioner alone.

For Petitioner :Mr.S.Thirupathy

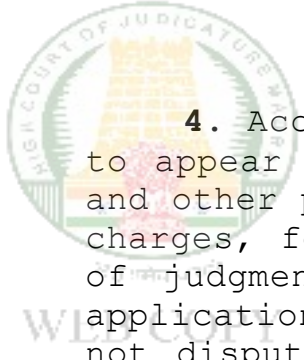
For Respondents :Mrs.S.Prabha, G.A.(Crl.Side) for R1

ORDER

As this Court is about to dismiss this criminal original petition, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw the same 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 In view of the above, this criminal original petition is dismissed as withdrawn, with liberty to raise all the points before the Trial Court.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 has submitted 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 any 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. Consequently, connected miscellaneous petitions are closed.

Sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar/

To

1.The Assistant Sessions Judge,
Sivakasi.

2.The Inspector of Police,
Maraneri Police Station,
Sivakasi Town Circle,
Virudhunagar District.

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

+one cc to M/s.S.Thirupathy, Advocate in SR.No.18838

SDR:SKS-RR/15.04.2016:2P/5C

Cr1.O.P. (MD) No.5775 of 2016
and
Cr1.M.P. (MD) Nos.2854 & 2855 of 2016
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