



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.04.2016
CORAM

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P.(MD)No.6221 of 2016
and

Crl.M.P.(MD).Nos.3101 and 3102 of 2016

Muthulakshmi

... Petitioner

Vs.

1. State represented by
the Inspector of Police,
All Women Police Station,
Kumbakonam,
Thanjavur District.
(Crime No.7 of 2014).

2. Marys Dominic

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.395 of 2014 on the file of the Judicial Magistrate Court, Kumbakonam and quash the same.

For Petitioner : Mr.T.Lenin Kumar

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

ORDER

This Criminal Original Petition has been filed to call for the records in C.C.No.395 of 2014 on the file of the Judicial Magistrate Court, Kumbakonam and quash the same.

2. 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.

3. In view of the above, this criminal original petition is dismissed as withdrawn with liberty to raise all the points before the trial Court.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.

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

5. 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 services-ecourts.gov.in/hcservices/ the 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 petitioner adopt any dilatory tactics, it is open to the trial Court to insist upon her presence. Consequently, the connected Miscellaneous Petitions are closed.

WEB COPY

Sd/
Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar(C.S)
Madurai Bench of Madras High Court,
Madurai.

To

1. The Judicial Magistrate,
Kumbakonam.
2. The Inspector of Police,
All Women Police Station,
Kumbakonam,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.T.Lenin Kumar, Advocate in SR.No.20733

Cr1.O.P. (MD) No.6221 of 2016
13.04.2016

akv
PA/NGM-SS/AR I/21.04.2016/2P/5C