



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2016

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

CrI.O.P. (MD) No.6499 of 2016

and

CrI.M.P. (MD) .Nos.3245 and 3246 of 2016

P.Ramesh

... Petitioner/Sole Accused

Vs.

I.Arputhamani

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records and quash the complaint filed against the petitioner herein in S.T.C.No.804 of 2014 on the file of the learned Judicial Magistrate, FTC.No.II, Madurai.

For Petitioner

: Mr.S.R.Rajagopal

O R D E R

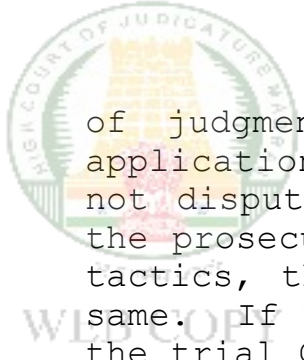
This Criminal Original Petition has been filed to call for the records relating to S.T.C.No.804 of 2014 on the file of the learned Judicial Magistrate, FTC.No.II, Madurai.

2. As this Court is about to dismiss this criminal original petition on merits, 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 In view of the above, this criminal original petition is dismissed as withdrawn with liberty to raise all the points before the trial Court. Consequently, the connected Miscellaneous Petitions are closed.

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 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.

Sd/-
Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

To
The Judicial Magistrate, FTC.No.II, Madurai.

PJL

JM/JGB-DP/04.05.2016/2P-2C

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