

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2017

CORAM

THE HON'BLE MR.JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P.No.31476 of 2012

and

M.P.No.1 and 2 of 2012

Mr.Azeezur Rahman

...Petitioner

Vs

M/s.Pricol Packaging Limited
Rep. by T.S.K.Ananthasubramaniam
Company Occupier
Registered Office at 965
Haritha Centre, Avanashi Road,
Coimbatore-641 037.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C to call for the records connected with C.C.No.369 of 2011 on the file of the Judicial Magistrate No.III, Coimbatore and quash the same.

For Petitioner : Mr.S.Ramachandran

For Respondent : M/s.Vijayakumaran

ORDER

When the matter was taken up for hearing, the learned counsel for the petitioner sought permission of this Court to withdraw this petition and also made an endorsement to that effect. However, a request was made by the learned counsel for the petitioner that the petitioner is a resident of Nagercoil and the case is pending at Coimbatore and it is difficult for him to appear on all the hearings and further submits that he will make it a point to be represented through his counsel on all the hearings and if at all a petition under Section 317 of Cr.P.C is filed, it may be liberally considered.

2. Taking into consideration, the above submissions made by the learned counsel for the petitioner, the Magistrate is directed to consider the 317 Cr.P.C petitions on being filed by the learned counsel for the petitioner. At the same time, it is also made clear that when the presence of the petitioner/accused is necessary for progress of the trial, he has to make his appearance without fail. It is submitted by the learned counsel for the respondent that the matter has been pending from the year 2011 and because of the pendency of the CrI.O.P, the trial has not progressed thereby putting the complainant to hardship. The learned Magistrate is directed to complete the trial as expeditiously as possible within a period of four months from the date of receipt of a copy of this order.

3. In view of the submission and endorsement made by the learned counsel for the petitioner, this Criminal Original Petition is dismissed as withdrawn. Consequently, the connected miscellaneous petitions are closed.

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Index : Yes

Internet: Yes

To

1.The Judicial Magistrate No.III, Coimbatore.

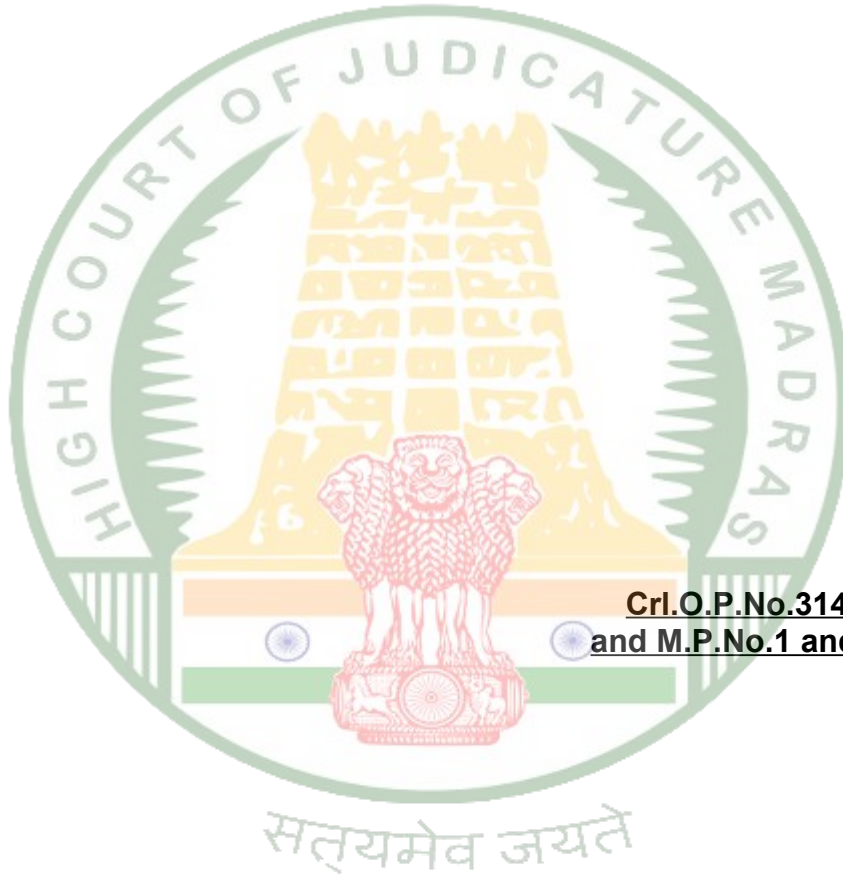
2.The Public Prosecutor, High Court, Chennai.



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A.D.JAGADISH CHANDIRA, J

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