



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) .No.17740 of 2017

and

CRL.MP. (MD) Nos.11588 and 11589 of 2017

G.Essaki Pandian

... Petitioner/Accused No.1

Vs.

1.The State represented by,
The Sub-Inspector of Police,
Seithur Police Station,
Virudhunagar District.
(In Crime No.75 of 2016)

... Respondent No.1/Complainant

2.Muthusamy

... Respondent No.2/
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records in the case in C.C.No.91 of 2017 on the file of the Judicial Magistrate Court, Rajapalayam, Virudhunagar District and quash the same as illegal and violation of law.

For Petitioner

: Mr.G.Marimuthu

For R-1

: Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

ORDER

This Criminal Original petition is filed for quashing the Charge Sheet in C.C.No.91 of 2017 on the file of the learned Judicial Magistrate, Rajapalayam, Virudhunagar District, as illegal and violation of law.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.



3. Based on the complaint lodged by the second respondent, a case was registered in Crime No.75 of 2016 for the alleged offences under Sections 294(b), 342, 323, 324 and 506(ii) of I.P.C. After filing Charge Sheet, the case was taken on file in C.C.No.91 of 2017 on the file of the learned Judicial Magistrate, Rajapalayam, Virudhunagar District.

4. 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. However, a specific request was made by the learned counsel for the petitioner that the appearance of the petitioner may be dispensed with.

5. Considering the nature of grievance expressed by the petitioner, this Court is inclined to pass the following order:-

"The Criminal Original petition is dismissed as withdrawn. However, the personal appearance of the petitioner is dispensed with, unless or otherwise his appearance is specifically required by an order of Court."

Consequently, connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub-Assistant Registrar

To

1. The Judicial Magistrate Court,
Rajapalayam,
Virudhunagar District .
2. The Sub-Inspector of Police,
Seithur Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Pmu

RL/4C/2P/SV/MMS/SAR4/30/1/2018

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