



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P.(MD)No.3018 of 2017
and Crl.M.P.Nos.2310 and 2311 of 2017

1.Valliammal

2.Arumuga Sudha Selvi

3.Saravanan .. Petitioners/Accused 2 to 4

Vs.

State rep. by its

1.The Inspector of Police, All women Police station,
Valliyoor, Tirunelveli District
in Crime no.19/2015 ..1st Respondent/Complainant

2.Selvakani .. 2nd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records relating to the charge sheet in C.C.no.384/2016 on the file of Judicial Magistrate Court, Valliyoor and quash the same insofar as petitioners' are concerned.

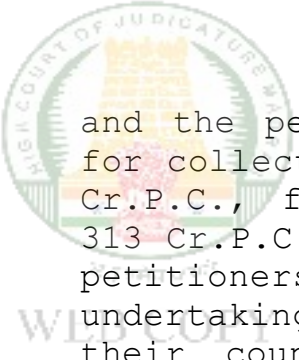
For Petitioner	:: Mr.M.Subash Babu
For Respondent	:: Mr.A.P.Balasubramani Government Advocate (Crl. side)

O R D E R

When this Court is about to dismiss the criminal original petition, the learned counsel for the petitioners seeks permission of this Court to withdraw the criminal original petition. He has also made an endorsement to that effect.

2.In view of the endorsement made by the learned counsel for the petitioners, this criminal original petition is dismissed as withdrawn with liberty to the petitioners to raise all the points before the trial Court.

3. At this juncture, the learned counsel for the petitioners prays for dispensed with the personal appearance of the petitioner before the trial Court. However, the presence of the petitioners 1 and 2 before the trial Court is dispensed with



and the petitioners 1 and 2 shall appear before the Trial Court for collecting the final report and other papers under Section 207 Cr.P.C., for framing the charges, for questioning under Section 313 Cr.P.C. and on the day of judgment. On all other dates, if the petitioners 1 and 2 file an application under Section 317 Cr.P.C., undertaking that they will not dispute their identity and that their counsel will cross-examine the prosecution witnesses in their absence without adopting dilatory tactics, the Trial Court may liberally consider and entertain the same. If the petitioners 1 and 2 adopt any dilatory tactics, it is open to the Trial Court to insist upon their presence. Consequently connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

+1cc to M/s. M.SUBASH BABU Advocate in SR. No.16286

RR
JS/JC/10.04.2017/2P-5C

Crl. O.P. (MD) No.3018 of 2017
and Crl.M.P.Nos.2310 and 2311 of 2017
20.03.2017