



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.03.2017
CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WEB COPY

**Cr1.O.P. (MD)No.3144 of 2017
and
Cr1.M.P. (MD)Nos.2383 and 2384 of 2017**

K.V.Shanthi : Petitioner

Vs.

Mr.Sooriya Moorthy,
Rep. by his General Power of
Attorney Agent
Mr.Ramasubramaniam

: Respondent

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to call for the records in C.C.No.55 of 2017 on the file of the Fast Track Court Magistrate Level, Tuticorin and quash the same.

For Petitioner : Mr.K.A.Raamakrishnan

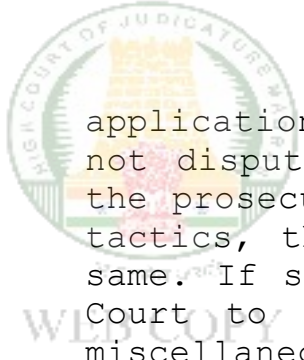
O R D E R

When this Court was about to dismiss this petition on merits, the learned counsel for the petitioner seeks permission of this Court to withdraw this petition and he has also made an endorsement to that effect.

2. Permission is granted. This Criminal Original Petition is dismissed as withdrawn.

3. At this juncture, learned counsel appearing for the petitioner submits that the presence of the petitioner before the Trial Court may be dispensed with.

4. Accepting the submission, this Court directs the petitioner to appear before the Trial Court and on her appearance, she shall be released on bail under Section 436 of the Code of Criminal Procedure on she executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) without sureties to the satisfaction of the Fast Track Court/Judicial Magistrate at Tuticorin and, thereafter, she shall engage a counsel on special vakalat and appear before the Trial Court for receiving 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 she files 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 she adopts any dilatory tactics, it is open to the Trial Court to insist upon her presence. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

To

1. The Fast Track Court Magistrate Level,
Tuticorin.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

+1 cc to Mr.KA.RAMAKRISHNAN, Advocate SR.No. 16007

SML

PSM/RR/27.03.2017/2P/4C

Order made in
Crl.O.P.(MD)No.3144 of 2017
Dated: 20.03.2017