



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P. (MD) No.4898 of 2017

and

Crl.M.P. (MD) Nos.3462 and 3463 of 2017

S.P.Esakkipandi

: Petitioner/A5

-Vs-

1.State Represented by

The Sub-Inspector of Police,

V.K.Pudur Police Station,

Tirunelveli District.

(Crime No.81 of 2016).

:1st Respondent/Complainant

2.Ramesh Prabhu

:2nd Respondent/Defacto Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to call for the records in C.C.No.218 of 2016 on the file of the learned Judicial Magistrate, Alangulam, Tirunelveli District, and quash the proceedings as against the petitioner.

For Petitioner

: Mr.A.Thiruvadikumar

For Respondent No.1

: Mr.K.Anbarasan,

Government Advocate (Crl.side)

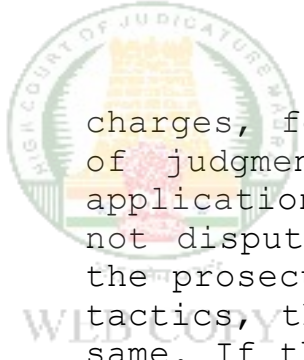
O R D E R

When this Court was about to dismiss the petition the learned Counsel appearing for the petitioner sought permission of this Court to withdraw this Criminal Original Petition and he has also made an endorsement to that effect.

2. In view of the above, this Criminal Original Petition is dismissed as withdrawn, with liberty to raise all the points before the trial Court.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.

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.

<https://hcservices.courts.gov.in/hcservices/> 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 files 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 adopts any dilatory tactics, it is open to the Trial Court to insist upon his presence.

Sd/-

ASSISTANT REGISTRAR(Co)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

- 1.The Judicial Magistrate,
Alangulam, Tirunelveli District.
- 2.The Sub-Inspector of Police,
V.K.Pudur Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC TO MR.A.THIRUVADIKUMAR, ADVOCATE, SR NO.53644

SML

MAS/JC:15.05.2017:2P-5C

Order made in
CRL.O.P. (MD) No.4898 of 2017
Dated: 24.04.2017