



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD) No.7562 of 2017

and

Crl.M.P. (MD) Nos.5185 and 5186 of 2017

1.Jeyarani

2.D.M.M.S.Jeyaseelan

3.Jeyasri : Petitioners/Accused 1,3 &amp; 4

Vs.

1.State Represented by,  
the Inspector of Police,  
B-5, South Gate (C.B.),  
Madurai,

(In Crime No.969 of 2013). : 1<sup>st</sup> Respondent/Complainant2.P.K.Nagarajan : 2<sup>nd</sup> Respondent/Defacto Complainant

**Prayer :** Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to call for the records of charge sheet in C.C.No.272 of 2016 on the file of the learned Judicial Magistrate No.IV, Madurai and quash the same as illegal.

For Petitioners : Mr.S.M.A.Jinnah

For Respondent No.1 : Mr.K.Anbarasan,  
Government Advocate (Crl.side)

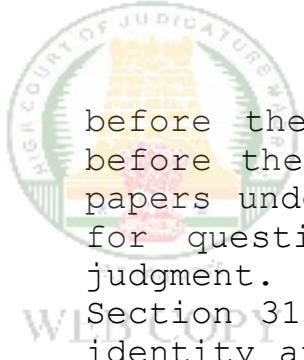
### O R D E R

When this Court was about to dismiss this petition on merits, the learned counsel for the petitioners sought 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 This Criminal Original Petition is dismissed as withdrawn. Consequently, the connected miscellaneous petitions are closed.

3. At this juncture, the learned counsel appearing for the petitioners sought leave of this Court to dispense with the personal appearance of the petitioners before the Trial Court.

4. Taking into consideration the age of Jeyaseelan and Jeyasri, the second and third petitioners herein, their presence



before the Trial Court is dispensed with and they shall 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 they 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 on the day they are examined in chief in their absence without adopting dilatory tactics, the Trial Court may liberally consider and entertain the same. If they adopt any dilatory tactics, it is open to the Trial Court to insist upon their presence.

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate No.IV,  
Madurai.
- 2.The Inspector of Police,  
B-5, South Gate (C.B.),  
Madurai.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.S.M.A.Jinnah, Advocate , in SR.No.61447

SML

AE/SKN RSK/28.06.2017/2P/5C

Order made in  
**Cr1.O.P. (MD)No.7562 of 2017**  
**Dated: 20.06.2017**