



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.06.2017
CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

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Crl.O.P. (MD) No.7966 of 2017
and Crl.M.P.Nos.5429 and 5430/2017

1.Nikesh

2.Aknes

3.Ajesh .. Petitioners / Accused Nos.9 & 11,12
Vs.

1. State represented by
Inspector of Police
Eraniel Police Station,
Kanyakumari District
Crime NO.428/2014 .. Respondent / Complainant

2.Paisal .. Respondent / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. Praying to admit this quash petition on file to call for the records in C.C.No.28/2017 on the file of the District Munsif cum Judicial Magistrate court, Eraniel, Kanyakumari District and quash the same.

For Petitioners : Mr.V.Karthivelu
senior counsel for Mr.K.Prabhu
For Respondent : Mr.K.Anbarasan for R1
Government Advocate (Crl. Side)

ORDER

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

2.In view of the same, this criminal original petition is dismissed as withdrawn. Consequently connected Miscellaneous Petitions are closed. However, the presence of the petitioners before the trial Court is dispensed with and the petitioners 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 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 adopt any dilatory tactics, it is open to the Trial Court to insist upon their presence.

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Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The District Munsif cum Judicial Magistrate,
Eraniel,
Kanyakumari District
2. The Inspector of Police
Eraniel Police Station,
Kanyakumari District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.PRABHU, Advocate, SR No. 62788.

RR

PSM/KP/SAR2/18.07.2017/2P/5C

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