



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.05.2017

CORAM

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THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.7202 of 2016

and

Crl.M.P.(MD) Nos. 3632 and 3633 of 2016

M.Sahadevan ... Petitioner/Sole Accused

-vs-

1. State Represented by Inspector of Police,
Uthapanayakanoor Police Station,
Madurai District.
(Crime No.13 of 2014)

... Respondent/Complainant

2.R.Paramasivam

... Respondent/De-facto
Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records pertaining to the charge sheet in C.C.No.603 of 2014 on the file of the learned Judicial Magistrate, No.II, Usilampatti in Crime No.13 of 2014 dated 26.01.2014 on the file of the Respondent No.1 Police for alleged offences under Sections 341, 294(b), 323, 324, 506(i) of IPC.

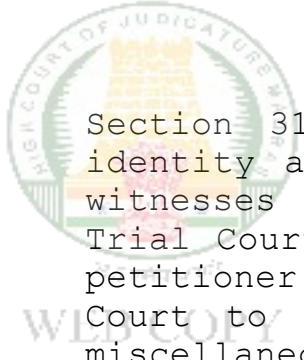
For Petitioner : Mr.T.Lajapathi Roy
For Respondent No.1 : Mr.K.Anbarasan,
Government Advocate (Crl. Side)
For Respondent No.2 : No Appearance

O R D E R

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

2. Accordingly, this criminal original petition is dismissed as withdrawn with liberty to the petitioners to raise all the points before the trial Court.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 submitted that the presence of the petitioner before the trial Court is dispensed with and the petitioner 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 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. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The Judicial Magistrate, No.II,
Usilampatti.
2. The Inspector of Police,
Uthamanayakanoor Police Station,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. T.LAJAPATHI ROY, Advocate, SR.No.55587

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SDS/MR/SAR 4/12.05.2017/2P/5C