

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20114 of 2018
and CRL.M.P.Nos.10719 & 10720 of 2018

1.Rameeja Bee
2.Abdul Aziz

.. Petitioners

Vs

1.State of Tamil Nadu
Rep. By the Inspector of Police,
Central Crime Branch-II, ALGSC-II,
Chennai Police,
Vepery.

2.Mrs.Hennah Devairakkam

.. Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records relating to proceedings in C.C.No.766 of 2016 on the file of the Judicial Magistrate, Alandur and quash the same.

For Petitioner : Mr.K.Selvaraj

For Respondent : Mr.M.Prabhavathi, APP for R1

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.766 of 2016 on the file of the Judicial Magistrate, Alandur.

2.Heard the learned counsel appearing for the petitioners and perused the materials placed on record.

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

4.In view of the above endorsement made by the learned counsel for the petitioner, this petition is dismissed as withdrawn, with liberty to raise all the points before the trial

court, after the charges are framed. Consequently, connected Crl.M.P.Nos.10719 & 10720 of 2018 are closed.

5.However, Mr.K.Selvaraj, learned counsel for the petitioners submits that the first petitioner, is aged about 80 years and therefore, her presence before the trial Court may be dispensed with.

6.Accepting his submission, the 1st petitioner is directed to surrender before the trial Court within two weeks from the date of receipt of a copy of this order. Thereafter, she would file an application under Section 436[1] of Cr.P.C. for bail. The trial Court shall release her on bail, on the same day, on her executing a bond for Rs.10,000/- with two sureties. Thereafter, the 1st petitioner shall appear before the trial Court under Section 239 Cr.P.C., for questioning under Section 313 of Cr.P.C. and on the date of judgment. For other hearings, if the petitioner file an application under Section 317 of Cr.P.C., undertaking that she will not dispute her identity and that her counsel will cross-examine the prosecution witnesses on the day, they are examined in-chief, without adopting any dilatory tactics, her presence can be dispensed with.

Sd/-
Assistant Registrar (CS--VI)

//True copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate,
Alandur

2. The Inspector of Police,
Central Crime Branch-II, ALGSC-II,
Chennai Police, Vepery.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Selvaraj, Advocate SR.No.56331

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GMV (06/09/2018)