

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.11249 of 2018
and CRL.M.P.Nos.5825 & 5826 of 2018

L.Murugesan .. Petitioner

Vs

V.P.M.Thilagaraj .. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records in C.C.No.3776 of 2013 pending on the file of the learned III Metropolitan Magistrate, FTC, Saidapet, Chennai and quash the entire proceedings.

For Petitioner : Mr.R.Muniyapparaj

For Respondent : No appearance

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.3776 of 2013 on the file of the III Metropolitan Magistrate Court, FTC, Saidapet, Chennai.

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

3.When this Court was about to dismiss the case on merits, learned counsel for the petitioner 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4.In view of the above endorsement made by the learned counsel for the petitioner, this petition is dismissed as withdrawn, with liberty to raise all the points before the trial court. Consequently, connected Crl.M.P.No.5825 of 2018 is closed.

5.However, Mr.Muniyapparaj, learned counsel for the petitioner submits that the presence of the petitioner before the trial Court may be dispensed with.

6.Accepting his submission, the petitioner is directed to surrender before the trial Court within two weeks from the date of receipt of a copy of this order. Thereafter, he would file an application under Section 436[1] of Cr.P.C. for bail. The trial Court shall release him on bail, on the same day, on

his executing a bond for Rs.10,000/- with two sureties. Thereafter, the petitioner shall appear to receive the complaint under Section 207 of Cr.P.C., to answer the accusation under Section 251 of 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 he will not dispute his identity and that his counsel will cross-examine the prosecution witnesses on the day, they are examined in-chief, without adopting any dilatory tactics, his presence can be dispensed with.

Sd/--

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The III Metropolitan Magistrate,
FTC, Saidapet,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Muniyapparaaj, Advocate Sr.No.27424

KJI (CO)
sm:23.4.2018

CRL.O.P.No.11249 of 2018
and

CRL.M.P.Nos.5825 & 5826 of 2018

सत्यमेव जयते

WEB COPY