



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.A.No.474 of 2013

The State rep. by
The Deputy Commissioner of Customs,
Trichy.
(Crime No. 05/1993, CPU, Salem). ...Appellant/ Petitioner

Vs.

1. B.C.Hariharan
2. P.M.Hanifa @ Kunjukutti ...Respondents/ Respondents

The Criminal Appeal filed under Section 378 of Code of Criminal Procedure to set aside the order dated 22.10.2012 passed by the learned Judicial Magistrate-III, Salem, in C.C.No.226 of 2006.

For Appellant : Mr.B.Rabu Manohar, Senior Central
Government Standing Counsel

For Respondents : M/s.B.Sathish Sundar for R1
R-2 No appearance.

ORDER

Today, when the matter is called for hearing, the learned Senior Central Government Standing Counsel appearing for the appellant submitted that appeal lies only before the Court of Sessions, against the order impugned in this appeal and seeks permission of this Court to withdraw the appeal and file the same before appropriate forum and he has also made an endorsement to that effect.

2 Recording the submissions made by the learned Senior Central Government Standing Counsel and the endorsement made, this criminal appeal is dismissed as withdrawn with liberty to the appellant to file an appeal before the appropriate forum. The period spent for this appeal shall be exempted for the purpose of calculation of limitation.

Sd/-

Assistant Registrar(CS viii)

//True Copy//

Sub Assistant Registrar



1. The Judicial Magistrate-III, Salem.
2. do- thro the chief Judicial Magistrate, Salem,
3. The Deputy Commissioner of Customs, Trichy.
4. THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1cc to M/s.B.Sathish Sundar, , Advocate SR.No. 70811
+1cc to Mr.B.Rabu Manohar, Advocate SR.No. 70177

Cr1.A.No.474 of 2013

ASK(05/12/2018)