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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.02.2018

CORAM:
THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.R.C.(MD)No.117 of 2018
and
Crl.M.P.(MD)Nos.1488 and 1489 of 2018

1.T.Udhayakumar
2.T.Udhayasankar : Petitioners/Petitioner/3rd & 4th Accused

Vs.

State through
The Inspector of Police,
Crime Branch (C&O),
Kanyakumari District,
Nagercoil. : Respondent/Respondent/Complainant

PRAYER: Criminal Revision Case is filed under Section 397 r/w 401 of the Criminal Procedure Code praying to call for the records pertaining to Cr.M.P.No.4259 of 2017 in S.C.No.600 of 2017 on the file of the learned Principal Sessions Judge, Tirunelveli and set aside the order dated 06.01.2018 passed by the learned Principal Sessions Judge, Tirunelveli and allow the revision petition.

For Petitioners : Mr.R.J.Karthick
For Respondent : Mrs.S.Bharathi,
Government Advocate (Crl.side)

ORDER

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

2. Permission is granted. The Criminal Revision Case is dismissed as withdrawn. However, the Trial Court is directed to proceed with the trial expeditiously and complete the same, within a period of six months from the date of receipt of a copy of this order. The Trial Court shall ensure that sufficient protection is given to the witnesses who come to depose against the accused, of whom, one is an Advocate and the other is a Sub-Inspector of Police. The petitioners shall co-operate with the Court by cross-examining the witnesses on the same day they are examined in chief, as directed by the Supreme Court in Vinod Kumar vs. State of Punjab reported in 2015 (1) Scale 542. If the petitioners adopt any dilatory tactics, it is always open to the learned Magistrate to remand them to custody, in view of the law laid down by the Supreme Court in State of U.P. vs. Shambhu Nath Singh reported in 2001(4) SCC 667. If the petitioners abscond, a fresh Information Report can



be registered against them under Section 229-A of the Indian Penal Code. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Crl. side)

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Sub Assistant Registrar

To

1.The Principal Sessions Judge,
Tirunelveli.

2.The Inspector of Police,
Crime Branch (C&O),
Kanyakumari District,
Nagercoil.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.R.J.Karthick, Advocate SR.No. 52399

Order made in
Crl.R.C.(MD)No.117 of 2018
Dated:-
28.02.2018

sml

JM/JC/SAR 3/14.03.2018/2P/5C