



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.15959 of 2018

and

Crl.M.P.(MD)Nos.7077 and 7078 of 2018

WEB COPY

Dhanalakshmi

... Petitioner / Respondent

Vs.

D.Kumaravel

...Respondent / Petitioner

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in C.C.No.145 of 2018 on the file of the learned Judicial Magistrate / Fast Track Court (Magistrate Level), Thoothukudi, Thoothukudi District and quash the proceedings initiated as against the petitioner.

For Petitioner

: Mr.A.Thiruvadikumar

ORDER

When this Court was about to dismiss the Criminal Original Petition on merits, the learned Counsel for the petitioner sought permission of this Court to withdraw the same and he has also made an endorsement to that effect.

2.At this juncture, the learned Counsel for the petitioner submitted that the presence of the petitioner before the Trial Court may be dispensed with.

3.Accepting the said submission, the presence of the petitioner before the trial Court shall be dispensed with on condition that he shall be present at the time of questioning under Section 313 of Cr.P.C. and at the time of passing judgment.

4.The petitioner is further directed to give an undertaking in the form of affidavit that the Counsel representing her will cross examine the prosecution witnesses on the day they are examined in chief. The petitioner shall not dispute the identity of the witnesses. If the petitioner adopts any dilatorial tactics, it is open to the Trial Court to insist for her appearance and deal with the petitioner in accordance with the judgment of Supreme Court of India, in State of Uttar Pradesh Vs. Shambunath Singh, reported in



5. Accordingly, this Criminal Original Petition is dismissed as withdrawn. Consequently, connected miscellaneous petitions are closed.

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/True Copy/

Sd/-

Assistant Registrar (CS-I)

Sub Assistant Registrar (CS-III)

To
The Judicial Magistrate/
Fast Track Court (Magistrate Level),
Thoothukudi, Thoothukudi District.

+1CC to Mr.A.Thiruvadikumar, Advocate, SR.No.82651

Cr1.O.P. (MD) No.15959 of 2018
06.09.2018

TA
ES/PM/SAR 3/04.10.2018/2P/3C