

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATE: 23.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN**Cr1.O.P. (MD) .No.10358 of 2019****and****Cr1.M.P. (MD) .Nos.6491 and 6493 of 2019**

WEB COPY

1.A.Rajabalan

2.R.Stabro

3.R.Stimpro

... Petitioners/Accused 1 to 3

-Vs-

1. State represented by
the Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

... Respondent/Complainant

2.S.Mano Selvan

... Respondents/Defacto

Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the Charge Sheet in C.C.No.78 of 2019, on the file of the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District, in Crime No.240 of 2018, dated 15.09.2018, on the file of the first respondent under Sections 341, 294(b), 323 and 506(ii) of Indian Penal Code and quash the same.

For Petitioners : Mr.J.Pandi Dorai

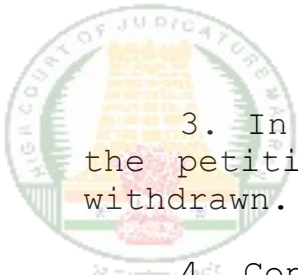
For R1 : Mr.K.Suyambulinga Bharathi

Government Advocate (Cr1. side)

O R D E R

After advancing argument for some time, the learned counsel appearing for the petitioners seeks permission of this Court to withdraw the Criminal Original Petition and made an endorsement to that effect. The learned counsel appearing for the petitioners submitted that the second and third petitioners being College students, their appearance may be dispensed with before the trial Court.

2.Today, when the matter came up for hearing, the learned Government Advocate (Cr1. side) appearing for the first respondent, on instructions, submitted that now the matter is posted for trial before the concerned Court.



3. In view of the endorsement made by the learned counsel for the petitioners, this criminal original petition is dismissed as withdrawn.

4. Considering the facts and circumstances of the case and also considering the fact that the matter is posted for trial before the trial Court, the learned Trial Judge is directed to proceed with the trial and dispose of the same within a period of three months from the date of receipt of a copy of this order. If the second and third petitioners have any difficulty in appearing before the trial Court, it is always open to them to file necessary application before the concerned trial Court and on filing such application, the trial Court is directed to consider the application and pass suitable orders on merits and in accordance with law. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

1. Judicial Magistrate No.I,
Nagercoil,
Kanyakumari District,
2. The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.J.PANDI DORAI, Advocate (SR-77052[F] dated 23/07/2019)

Cr1.O.P. (MD) .No.10358 of 2019
23.07.2019

tsg

MK (06.08.2019) 2P 5C