



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.11686 of 2014
and
M.P. (MD)Nos.1 and 2 of 2014

K.P.Ramasamy

... Petitioner

Vs

The Government of Tamilnadu
rep. by
Thiru K.Shanmugam,
Assistant Labour Inspector, Gr.II,
3 C, Sengundhapuram,
2nd Cross,
Karur 2.

... Respondent

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records pertaining to the case in S.T.C.No.2 of 2014 on the file of the learned Chief Justice Magistrate, Karur and quash the same.

For Petitioner : Mr.M.Bindran

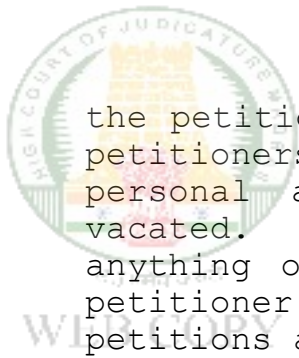
For Respondent : Mr.A.Robinson
Government Advocate (Crl.side)

ORDER

The petitioner wants this Court to quash the impugned proceedings. He places a considerable reliance on the decision reported in 2002 1 Law Weekly (Crl.) 211.

2. I am of the view that the point now canvassed can be raised before the Court below. Therefore, the petitioner's counsel seeks leave to withdraw this criminal original petition.

3. With liberty to canvass all his points in the regular trial, this criminal original petition is dismissed as withdrawn. However, the Court below will insist on the personal appearance of the petitioner only on three occasions namely, to answer the charge, to examination under Section 313 of Cr.P.C., and at the time of pronouncing Judgment. On all other occasions, the petitioner need not to appear before the Court below. However, on those occasions,



the petitioners will have to be represented by his counsel. If the petitioners' counsel is also absent, the benefit of dispensing the personal appearance of the petitioner will stand automatically vacated. It is made clear that this Court has not pronounced anything on the merits of the matter. All the contentions of the petitioner are left open. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

rmi

To

1.Thiru K.Shanmugam,
Assistant Labour Inspector, Gr.II,
3 C, Sengundhapuram,
2nd Cross,
Karur 2.

2.The Chief Judicial Magistrate, Karur.

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JMN(26.09.2019) 2P : 3C