



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

CRL OP(MD) . No.16405 of 2014
and
MP(MD) . Nos.1 and 2 of 2014

N.Rajendran

... Petitioner/Accused No.3

Vs

1.The State Rep. by its Inspector of Police,
Oomatchikulam Police Station,
Madurai District, Madurai.
(Crime No.508 of 1999)

2.K.Palanivel

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to the proceedings in P.R.C.No.34 of 2006, on the file of the Judicial Magistrate No.II, Madurai and quash the same.

For Petitioner : Mr.T.K.Gopalan

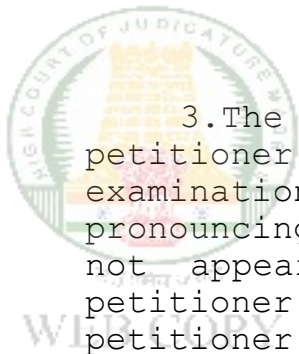
For Respondents : Mr.A.Robison
Government Advocate (Crl. side)
(for R1)

Mr.A.Somasundaram (for R2)

ORDER

The learned counsel appearing for the petitioner seeks leave to withdraw this petition and he has also made an endorsement to that effect.

2.In view of the same, this Criminal Original Petition is dismissed as withdrawn with liberty to file a discharge application before the Court below. It is made clear that this Court has not gone into the merits of the matter and as and when the petitioner files discharge application, the same will be considered on its own merits and in accordance with law. The personal appearance of the petitioner before the Court below shall stand dispensed with.



3.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 appear before the Court below. However, on those occasions, the petitioner will have to be represented by his counsel. If the petitioner's counsel is also absent, the benefit of dispensing the personal appearance of the petitioner will stand automatically vacated. All the defences and contentions of the petitioner are left open. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Judicial Magistrate No.II, Madurai.

2.The Inspector of Police,
Oomatchikulam Police Station,
Madurai District, Madurai.

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

+1 CC to Mr.T.K.GOPALAN, Advocate SR-87114.

CRL OP(MD) . No.16405 of 2014

Date : 17.09.2019

CS(10.10.2019) 2P 5C