



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL OP (MD) .No. 19258 of 2014

and

CRL.MP (MD) .Nos.1 and 2 of 2014

1.Ganapathy
2.Kumar@Selvakumar
3.Semban
4.Alagappan
5.Vijaya
6.Babu

...Petitioners

Vs.

State through by

1.The Inspector of Police
K.Puthupatti Police Station
Thirumayam Taluk
Pudukkottai District

2.Bala Sekar

...Respondents

PRAYER: This Petition filed under Section 482 of Criminal Procedure Code to call for the records of the impugned charge sheet in C.C.No.149 of 2013 on the file of the learned Judicial Magistrate Thirumayam, Pudukkottai District and quash the same.

For Petitioners	: Mr.R.Jegadeeswaran
For Respondent No.I	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl.Side)
For Respondent No.2	:Mr.K.Balasundaram

ORDER

This petition has been filed to call for the records of the impugned charge sheet in C.C.No.149 of 2013 on the file of the learned Judicial Magistrate Thirumayam, Pudukkottai District and quash the same.

2.Today, when the matter was taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the first respondent, on instructions, would submit that it is a counter case and all the accused in the counter case were acquitted by the learned Judicial Magistrate, Thirumayam.

3.At this juncture, the learned Counsel appearing for the [petitioners](https://hcservices.ecourts.gov.in/hcservices/) seeks permission of this Court to withdraw this petition and he has also made an endorsement to that effect.



4. In view of the endorsement so made, this Criminal Original Petition is dismissed as withdrawn. No costs. However, taking note of the fact that the matter is pending from the year 2014 onwards and the counter case was also ended in acquittal, the learned Judicial Magistrate, Thirumayam, Pudukkottai District is directed to proceed with the trial and dispose the case in C.C.No.149 of 2013 within a period of two months from the date of receipt of a copy of this order.

5. This Court, normally, would not allow any application seeking for dispensing with the personal appearance of the accused before the trial Court. If the petitioners have any inconvenience in appearing before the trial Court, it is always open to the petitioners to file an application before the Trial Court seeking for dispensing with their personal appearance. If any such application is filed, it is for the Court concerned to consider the same and pass appropriate 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. The Judicial Magistrate
Thirumayam, Pudukkottai District.
2. The Chief Judicial Magistrate,
Pududkkottai District.
3. The Inspector of Police
K.Puthupatti Police Station
Thirumayam Taluk
Pudukkottai District
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

CRL OP(MD) .No. 19258 of 2014
and

CRL.MP(MD) .Nos.1 and 2 of 2014
18.07.2019

CS(06.08.2019) 2P 5C