

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.01.2020
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.31779 of 2012
and
MP.Nos.1 and 2 of 2012

1.Best Ramasamy @ Ramasamy

2.R.Rajkumar

...Petitioners

vs.

R.P.Sakthi @ Sathish

...Respondent

Prayer: Petition filed under Section 482 of Cr.P.C., seeking to call for the records in C.C.663 of 2012 on the file of the Learned Judicial Magistrate No.II, Tirupur and quash the same.

For Petitioners : Mr.N.R.Elango,
Senior Advocate for
Mr.P.M.Duraiswamy

For Respondent : Mr.C.Ayyapparaj,
Additional Public Prosecutor

O R D E R

This criminal original petition has been filed seeking to call for the records in C.C.663 of 2012 on the file of the Learned Judicial Magistrate No.II, Tirupur and quash the same.

2. The learned senior counsel appearing for the petitioners, without going into the merits of the case, would submit that the petitioners would file a discharge application before the Trial Court. He would also submit that the appearance of the petitioners before the Trial Court may be dispensed with and would further submit that the petitioners are ready to appear as and when necessary arise.

3. The learned Additional Public Prosecutor appearing for the respondent conceded to the request made by the learned counsel appearing for the petitioners.

4. Considering the limited request made by the learned senior counsel appearing for the petitioners, the Criminal Original Petition is disposed of with a liberty to the petitioners to file a discharge application before the Trial Court. The appearance of the petitioners before the Trial Court is dispensed with. However, this order will not stand on the way of the Trial Court to insist for the appearance of the petitioners for receiving copies under Section 207 of Cr.P.C., framing of charges, questioning under Section 313 of Cr.P.C. and judgment and as and when the Trial Court feels it necessary.

5. With the above observations, this criminal original petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

mbi
To

1.The Judicial Magistrate No.II,
Tirupur.

2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1 cc to Mr.P.M.Duraiswamy Advocate sr5502

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