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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2020

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P. (MD)No.15984 of 2016

and

Crl.M.P. (MD)Nos.7710 and 7711 of 2016

Jasper : Petitioner / Accused No.3

Vs.

1.The Inspector of Police,
Marthadam Police Station,
Kanyakumari District. : 1st Respondent / Complainant

2.Albert Ravi : 2st Respondent / Defacto Complainant

Prayer: Petition is filed under Section 482 of the Code of Criminal Procedure, praying to call for the records in respect of C.C.No.135 of 2015 on the file of the learned Judicial Magistrate, Kuzhithurai and quash the same against the petitioner.

For Petitioner : Mr.M.Gnanagurunathan

For Respondent No.1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.side)

ORDER

The learned counsel appearing for the petitioner seeks permission of this Court to withdraw the present petition. Permission is granted. Accordingly, this Criminal Original Petition is dismissed as withdrawn, however, with liberty to the petitioner to raise all the points raised in the quash petition during trial.

2. At this juncture, the learned counsel appearing for the petitioner submitted that pending quash petition, this Court, by order dated 31.08.2016, dispensed with the personal appearance of the petitioner before the Trial Court until further orders and he requests that the said order may be continued. That request cannot be considered for the simple reason that the matter is pending from the year 2015. However, if the petitioner has any inconvenience in appearing before the Trial Court, it is always open to him to file necessary application seeking for dispensing with his appearance and



on filing such application, the learned Judicial Magistrate, Kuzhithurai, is directed to consider the same and pass suitable orders on merits and in accordance with law. Consequently, the connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Judicial Magistrate,
Kuzhithurai.
- 2.The Inspector of Police,
Marthadam Police Station,
Kanyakumari District.

Copy to:

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

+1 CC to M/s.K. SAMIDURAI, Advocate (SR-13350[F] dated 30/07/2020)

Order made in
CrI.O.P. (MD)No.15984 of 2016
Dated: **29.07.2020**

SML

SDS (05.08.2020) 2P-5C