



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 30.04.2021**

**CORAM**

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**Crl.O.P(MD)No.15805 of 2017**

**and**

**Crl.M.P(MD)Nos.10505 and 10506 of 2017**

K.M.A.Seeman Maraikkayar : Petitioner/Accused

Vs.

D.Martin Rajn : Respondent/Complainant

**Prayer:** Petition filed under Section 482 of the Criminal Procedure Code, to call for the entire records pertaining to the case in C.C.No.68 of 2017 pending on the file of the learned Fast Track Court at magistrate level, Thanjavur and quash the same.

For Petitioners : Mr.R.Anand

For Respondent : Mr.C.Hitesh Kumar

**ORDER**

This criminal original petition has been filed seeking to quash the proceedings in C.C.No.68 of 2017 pending on the file of the learned Fast Track Court at magistrate level, Thanjavur .

2.When the matter has been taken up for hearing Mr.R.Anand, learned counsel appearing for the petitioner sought permission of this Court to withdraw this criminal original petition with liberty to raise all the grounds before the trial Court and he also undertook to circulate a letter to the Registry to that effect. He further submitted that this petitioner is a resident of Ramanthapuram, the trial Court is situated in Thanjavur and therefore it would be difficult for him to appear before the trial Court for every hearing. Hence, prayed that appearance of the petitioner before the trial Court shall be dispensed with.

3. In view of the submission made by the learned Counsel appearing for the petitioner, this criminal original petition is dismissed as withdrawn. However, the petitioner is at liberty to file necessary application for dispensation of his personal appearance before the trial Court and on such filing, it is open to



the trial Court to pass orders on considering the materials placed before it for dispensation of the appearance of the petitioner and consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(AE)

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/ /2021

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,  
Fast Track Court at magistrate level,  
Thanjavur.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

**Crl.O.P(MD)No.15805 of 2017**  
**30.04.2021**

AS (25.05.2021) 2P 3C