



CrI.O.P.(MD)No.4471 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2023

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CrI.O.P.(MD)No.4471 of 2019
and CrI.M.P.(MD)Nos.2740 & 2741 of 2019

1.P.S.Sharfudeen

2.M.Ajmal Khan

3.Seenu

4.Sahida Alias A.Sahitha Begam

5.Pappa alias Saibunisha

6.Mani

7.Kanava Syed

8.R.Nagarajan

... Petitioners

Vs.

B.Mohamed Kalifullah

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the case in C.C.No.452 of 2017 pending on the file of the Judicial Magistrate Court No.II, Dindigul and quash the same.



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For Petitioners : Mr.G.Karuppasamy Pandian

For Respondent : Mr.M.Sheik Abdulla

ORDER

This Criminal Original Petition has been filed to quash the case in C.C.No.452 of 2017 pending on the file of the Judicial Magistrate Court No.II, Dindigul.

2.Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioners seeks permission of this Court to withdraw this petition with liberty to file fresh petition. He has also made an endorsement to that effect.

3.The learned counsel appearing for the respondent objected to withdraw this petition.

4.However, on perusal of records shows that the petitioner filed the present petition for the occurrence took place on 30.06.2017, near the



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Collector Office and the petitioner also obtained certified copy of the complaint from the concerned Court. On perusal of the trial Court case records reveal that the case is pertaining to the occurrence took place on 22.04.2017 at the office of the defacto complainant. There is no fault on the petitioner and the trial Court only issued certified copy of the compliant in C.C.No.452 of 2017. Therefore, it is appropriate to permit the petitioner to withdraw this petition.

5.Accordingly, this criminal original petition is dismissed as withdrawn with liberty to file fresh petition with correct particulars. Consequently, connected miscellaneous petitions are closed.

07.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns

To

The Judicial Magistrate Court No.II,
Dindigul.

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P. DHANABAL,J.

gns

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