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Crl.OP.No.9195 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.9195 of 2024

and

Crl.MP.Nos.6456 and 6457 of 2024

T.Velsankar

... Petitioner

Vs.

T.S.Dhakshinamurthy

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the complaint in C.C.No.4388 of 2020 on the file of the FTC II Metropolitan Magistrate at Allikulam and quash the same.

For Petitioner : Mr.J.Jeya Sabare Eswaran

For Respondent : Mr.R.Narendran

ORDER

This Criminal Original Petition is filed to quash C.C.No.4388 of 2020 sought to be withdrawn by the learned counsel appearing for the petitioner.

2. The learned counsel appearing for the respondent submits that



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after obtaining an interim order, the present petitioner who is the 3rd accused, now prayed for withdrawal of the criminal original petition because the very same petitioner moved this Court for quash and the same was dismissed for default. Suppressing the said fact, he has filed the fresh petition for quash.

3. No interim order was granted in that petition. The second petition filed and ex-parte interim order was obtained. Now after filing the counter, to avoid action for suppression of fact, the petitioner wants to withdraw the petition.

4. The learned counsel appearing for the petitioner states that he was not aware of the earlier quash petition and it was wrongly filed by some other counsel. Now, having come to know that the petitioner has filed second quash petition when the earlier petition was pending, he instructed the party to withdraw the petition. Accordingly, he wants to withdraw criminal original petition. The petitioner is permitted to withdraw this petition on condition that he shall not file any further quash petition.

5. In view of the above, this criminal original petition is dismissed



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as withdrawn. Consequently, the connected miscellaneous petition is closed.

Vv

03.07.2024

To

1. The FTC II Metropolitan Magistrate,
Allikulam
2. The Public Prosecutor,
High Court of Madras, Chennai.

Dr.G.JAYACHANDRAN,J.



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