



Crl.O.P.(MD)No.2258 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.02.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)No.2258 of 2024

Rajaram

...Petitioner

Vs.

1. State represented by
The Deputy Superintendent of Police,
Vedasandur,
Dindigul District.

2. The Inspector of Police,
Quziliamparai Police Station,
Dindigul District.
(Crime No.241 of 2023)

3. Palanisamy

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Petitioner to surrender and consider the bail application on the same date itself by the Hon'ble Additional District and Sessions Court for the exclusive trial for PCR Act Cases, Dindigul in Crime NO.241 of 2023 on the file of the respondent Police , Quzilamparai Police Station, Dindigul District.



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For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.M.Veeranthiran
Government Advocate (Crl. side)

ORDER

The learned Counsel for the Petitioner seeks permission of this Court to withdraw this Petition and he has also made an endorsement to that effect.

2.In view of the endorsement made by the learned Counsel for the Petitioner, this Petition is dismissed as withdrawn.

3.The Hon'ble Supreme Court in ***Sarguja Transport Service vs State Transport Appellate Tribunal and others***, reported in ***(1987) 1 SCC 5***, held that if a Writ Petition/Original Petition is withdrawn, the party in that Petition cannot file a fresh Petition on the same cause of action. Only if the right to sue for the same cause of action is reserved before seeking dismissal of the suit/Writ Petition as not pressed, he/she can file a fresh Petition. In such cases, if the Writ Petition/suit/Original Petition had been dismissed as



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withdrawn, the Petitioner in such a case, loses his/her right to file a fresh

Writ Petition on the same cause of action.

14.02.2024

Index : Yes/No

Internet: Yes/No

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To

1. The Deputy Superintendent of Police,
Vedasandur,
Dindigul District.
2. The Inspector of Police,
Quziliamparai Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.,

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