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CRL OP No. 29223 of 2025
and CrI.O.P.29226 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

**CRL OP No. 29223 of 2025
and CrI.O.P.No.29226 of 2025
and
connected miscellaneous petitions**

1. N.Maragatham

Petitioner in both CrI.O.Ps.

Vs

1. M/s.Vaithieswara Kraft Paper Mills
Private Limited,
Represented by its Sales Executive
Namely, T.Sathasivam,
S/o.K.Thangavel, 642/3,
Chennimalapalayam, Veeracholapuram
Post, Kangayam Taluk, Tiruppur
District.

Respondent in both
CrI.O.Ps.

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, 2023 to call for the records in S.T.C.No. 53/2018 and 11/2018 pending on the file of Judicial Magistrate, Kangayam and quash the same and thus render justice.

For Petitioner: Mr.A.Ilayaperumal



COMMON ORDER

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Learned counsel for the petitioner seeks permission of this court to withdraw the above criminal original petitions with liberty to raise all the grounds before the Trial Court. He would further submit that the petitioner being a lady, her presence before the trial court may be dispensed with unless her presence is required for the purpose of progress of trial.

2. Learned counsel for the petitioner would further submit that the petitioner is also ready to file an affidavit of undertaking that she will be duly represented by a counsel before the Trial Court on all hearing dates and she will be present before the Trial Court for receipt of copies, answering the charges, questioning under Section 313 Cr.P.C., passing of judgment and for any other purpose, as may be required by the Trial Court for the purpose of progress of trial.

3. This Court is of the view that all the grounds raised in the quash petitions can be raised before the Trial Court and there is no merit in the quash



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4. However, accepting the submission made by the learned counsel for the petitioner, the presence of the petitioner before the Trial Court is dispensed with. She is directed to give an undertaking in the form of affidavit as submitted by the learned counsel for the petitioner at paragraph 2, *supra*. If the petitioner adopts any dilatory tactics, it is open to the Trial Court to insist for her appearance and deal with her in accordance with the judgment of the Supreme Court of India *in State of Uttar Pradesh Vs. Shambunath Singh*, reported in *2001 (4) SCC 667*.

5. Accordingly, these Criminal Original Petitions are dismissed as withdrawn on the above terms. Consequently, connected Miscellaneous Petitions are closed.

29.10.2025

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A.D.JAGADISH CHANDIRA, J.

nvsri

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