

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF MARCH, 2016

BEFORE

THE HON'BLE MR. JUSTICE H. BILLAPPA

CRL. A. NO. 686/2015

BETWEEN:

SRI. K.M.GANESH,
AGED ABOUT 64 YEARS,
S/O. LATE MUTHAPPA,
MARAGODU VILLAGE & POST,
MADIKERI TALUK,
KODAGU DISTRICT – 571 252
REP. BY G.P.A.HOLDER AND WIFE
K.G.PREMA.

.. APPELLANT

(By Sri. Bhaskar Reddy S. Adv. for Sri. Ravikumar M.C.
Adv. for appellant.)

AND:

SRI. MANJUNATH H.N.
AGED ABOUT : MAJOR
SURVEYOR, ADLR,
MADIKERI,
KODAGU DISTRICT – 571 252.

.. RESPONDENT

CRL. A. FILED UNDER SEC. 341 OF CR.P.C. BY THE ADVOCATE FOR THE APPELLANT PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO SET ASIDE THE IMPUGNED ORDER DT.18-4-2015 PASSED BY THE SR. CIVIL JUDGE AND CJM, MADIKERI, KODAGU, IN CRL.MISC.NO.1/2015 OR MODIFY THE ORDER OF THE COURT BELOW BY GIVING DIRECTION TO FILE A COMPLAINT IN VIEW OF ITS OBSERVATION IN PARA 5 OF THE IMPUGNED ORDER AND THE CONCLUDING OPERATIVE PORTION, CONSEQUENTLY LEAVE THE ISSUE TO THE MAGISTRATE TO ACT IN ACCORDANCE TO SEC. 343(2) OF CR.P.C.

THIS APPEAL COMING ON FOR ORDERS, THIS DAY, THE COURT DELIVERED THE FOLLOWING:

J U D G M E N T

The learned Counsel for the appellant has filed a Memo stating that the appellant may be permitted to withdraw the appeal with liberty to present the same before the District Court at Madikeri.

2. Accordingly, reserving liberty to the appellant to present the appeal before the District Court Madikeri, the appellant is permitted to withdraw the appeal as prayed in the memo.

3. Memo dated 04-03-2016 ordered accordingly.

The appeal is disposed of as above.

Office is directed to return the appeal papers to the learned Counsel for the appellant.

**SD/-
JUDGE**

Mgn/-