

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

CrI.O.P.No.6254 of 2017

&

CrI.M.P.Nos.4638 & 4639 of 2017

Gopinath

... Petitioner

Vs.

1. The State rep by.  
The Inspector of Police,  
All Women Police Station,  
Chidambaram.  
(Crime No.10/2015)

2. Sarumathy

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the entire records pertaining to C.C.No.12 of 2016 on the file of the learned Judicial Magistrate No.II, Chidambaram and quash the same as illegal.

For Petitioner : Mrs.P.Saranya

For Respondents : Mrs.Saratha devi  
Public Prosecutor

ORDER

The prayer sought for in the present petition is to call for the entire records pertaining to C.C.No.12 of 2016 on the file of the learned Judicial Magistrate No.II, Chidambaram and quash the same as illegal.

2. Today, when the matter was called, the learned Government Advocate, on instructions, submitted that the trial has already commenced and is at the verge of completion.

3. At this stage, it would not be appropriate of this court to exercise the power under section 482 of Cr.P.C. to quash the proceedings, though the petitioner raised various grounds touching upon the merits of the case. It is always open to the petitioner to raise all the grounds at the time of trial as well as during the arguments.

4. In the result, the Criminal Original Petition stands dismissed.

5. At this juncture, the learned counsel for the petitioner submitted that in view of the pendency of the present proceedings before the learned Judicial Magistrate No.II, Chidambaram, the petitioner herein is unable to travel abroad and therefore, prayed for speedy disposal of the trial. In my view of the said submission and also considering the fact that the trial is on the verge of the completion, it would be appropriate for the learned Judicial Magistrate No.II, Chidambaram to expedite the proceedings and complete the case in C.C.No.12 of 2016 within three months from the date of receipt of a copy of this order.

Sd/-  
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

vum/nmm

To

1. The Judicial Magistrate No.II, Chidambaram
2. Do-Thro The Chief Judicial Magistrate, Cuddalore
3. The Inspector of Police,  
All Women Police Station,  
Chidambaram.
- 4.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.P.M.Gopalakrishnan, Advocate Sr.No.4152

+1cc to S.Sivakumar, Advocate SR.No.4140

MG(CO)

sm:8.2.2018

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