

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.23407 of 2016
and CRL.M.P.No.1566 of 2017
& CRL.M.P.No.7514 of 2019

K.N.Lakshmy

...Petitioner

vs.

1. Dr.Diraviam Dinesh

2. A.Jaya Sagaya Sathish

3. Pamela Denis

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to quash the proceedings in C.C.No.257 of 2014 on the file of Judicial Magistrate, Tambaram.

For Petitioner : Mr.L.Infant Dinesh

For Respondents : Mr.Diraviam Dinesh
Party-in-person R1

Ms.N.Samundeeswari for R2 & R3

O R D E R

This petition has been filed seeking to quash the proceedings in C.C.No.257 of 2014 pending on the file of the learned Judicial Magistrate, Tambaram.

2. Initially, A1 to A3 had filed petition seeking to quash the proceedings. Subsequently, the 1st and 2nd petitioners who are A1 and A2 were transposed as respondents 2 and 3 in this case. This order was passed on 02.11.2018 and subsequent to this order, only the 3rd petitioner is contesting this quash petition.

3. The various grounds raised by the 3rd petitioner before this Court requires appreciation of evidence since it pertains to the production of a application form and transfer certificate which according to the 1st respondent are forged documents and

therefore he has proceeded to file a private complaint before the Court below. This Court in exercise of its jurisdiction under Section 482 of Cr.P.C. cannot come to any conclusion with regard to the nature of the documents that are subject matter of challenge in the criminal proceedings.

4. The proceedings have been kept pending from the year 2014 onwards and it has been repeatedly adjourned from the year 2018 onwards.

5. This Court does not want to interfere with the proceedings at this stage and it is left open to the parties to raise all the grounds before the Court below and the Court below shall consider the same on its own merits and in accordance with law.

6. In the result, this Criminal Original Petition is disposed of with the direction to the Court below to complete the proceedings in C.C.No.257 of 2014 within a period of three months from the date of receipt of copy of this order. If the 3rd petitioner seeks for dispensing with her appearance and requests for being represented by a counsel, the same shall be considered by the Court below and the Court below can ask the 3rd petitioner to be present before the Court during important hearings as and when required by the Court. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

ssr

To

The Judicial Magistrate, Tambaram.

+3cc to Mr.S.Diraviam Dinesh, Advocate SR.No.55657

+1cc to Ms.N.Samundeeswari, Advocate SR.No.55831

CRL.O.P.No.23407 of 2016
and CRL.M.P.No.1566 of 2017
& CRL.M.P.No.7514 of 2019

MG (CO)
GMY (24/07/2019)