

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 03.06.2019

CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.12202 of 2019
and
Crl.M.P Nos.6377 & 6378 of 2019

Veechu @ Dinesh

Petitioner

Vs.

1. The State rep. by
The Inspector of Police,
Sathuvachari Police Station,
Vellore - 9.

2. V.Deepak

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for entire records of the Final Report filed by the respondent police on 16.03.2012 in Crime No.570 of 2009 in S.C.No.141 of 2015 on the file of the Chief Judicial Magistrate, Vellore and quash the charges against the petitioner/A2 from the said final report.

For Petitioner : Mr.S.Mahaveer Shivaji

For R1 : Mr.C.Raghavan
Government Advocate (Criminal Side)

ORDER

This petition has been filed seeking to quash the proceedings in S.C.No.141 of 2015 pending on the file of the learned Chief Judicial Magistrate, Vellore.

2. The learned counsel appearing for the petitioner has raised various issues/grounds in order to impress upon the Court to entertain the petition under Section 482 of Cr.P.C to quash the proceedings. In the considered view of this Court, the issues raised by the learned counsel for the petitioner is purely factual in nature and this Court cannot go into the same in exercise of its jurisdiction under Section 482 of Cr.P.C. These issues will have to be raised before the Court below in the course of the proceedings and the Court below shall consider the same on its own merits and in accordance with law.

3. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings, within a period of three months from the date of receipt of a copy of this order. The trial shall be conducted on a day-to-day basis in accordance with the guidelines given by Hon'ble Supreme Court reported in Vinod Kumar Vs State of Punjab [2015 (1) MLJ (Cr1) 288 SC]. If the petitioner adopts any dilatory tactics, it is open to the trial Court to insist upon the presence of the petitioner and remand him to custody as per the judgment of the Hon'ble Supreme Court in STATE OF UTTAR PRADESH VS. SHAMBHU NATH SINGH (JT 2001 (4) SC 319). Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Chief Judicial Magistrate,
Vellore.
2. The Inspector of Police,
Sathuvachari Police Station,
Vellore - 9.
3. The Public Prosecutor,
High Court of Madras,
Madras.

Cr1.O.P No.12202 of 2019
and

Cr1.M.P Nos.6377 & 6378 of 2019

PA(CO)

RRS (27/06/2019)

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