

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2019

CORAM

THE HONOURABLE MR. JUSTICE **N. ANAND VENKATESH**

**Crl.OP No.15160 of 2019 &
Crl.M.P.Nos.7389 & 7390 of 2019**

S.Shanthi

.. Petitioner

VS.

Samuel Vijay

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.1208 of 2018 in the Court of the Fast Track No.2, Judicial Magistrate Level, Coimbatore and to quash the same.

For Petitioner : Mr.R.John Sathyan

सत्यमेव जयते
ORDER

This petition has been filed seeking to quash the proceedings in C.C.No.1208 of 2018 in the Court of the Fast Track No.2, Judicial Magistrate Level, Coimbatore.

2. The learned counsel for the petitioner has raised various grounds which are factual in nature and requires appreciation of evidence and this Court cannot undertake the said exercise in jurisdiction of this

Court under Section 482 of Cr.P.C. It is left open to the petitioner to raise all the grounds before the Court below and the same shall be considered on its own merits and in accordance with law. This Court is not inclined to interfere with the proceedings at this stage.

3. The learned counsel for the petitioner requested this Court that the presence of the petitioner to be dispensed with before the Court below.

4. Taking into consideration the facts and circumstances of the case, the presence of the petitioner is dispensed with before the Court below and she shall be represented by a counsel through out the proceedings. The counsel representing the petitioner shall cross-examine the witnesses on the same day, they are examined in chief and the petitioner shall not question the identity of the witnesses. The petitioner shall be present before the Court below at the time of questioning under Section 313 Cr.P.C. and at the time of passing of the judgment.

5. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.542 of 2019 within a period of three months from the date of receipt of a copy of this

order. Consequently, connected miscellaneous petitions are closed.

18.06.2019

Index : Yes/No
Internet : Yes/No

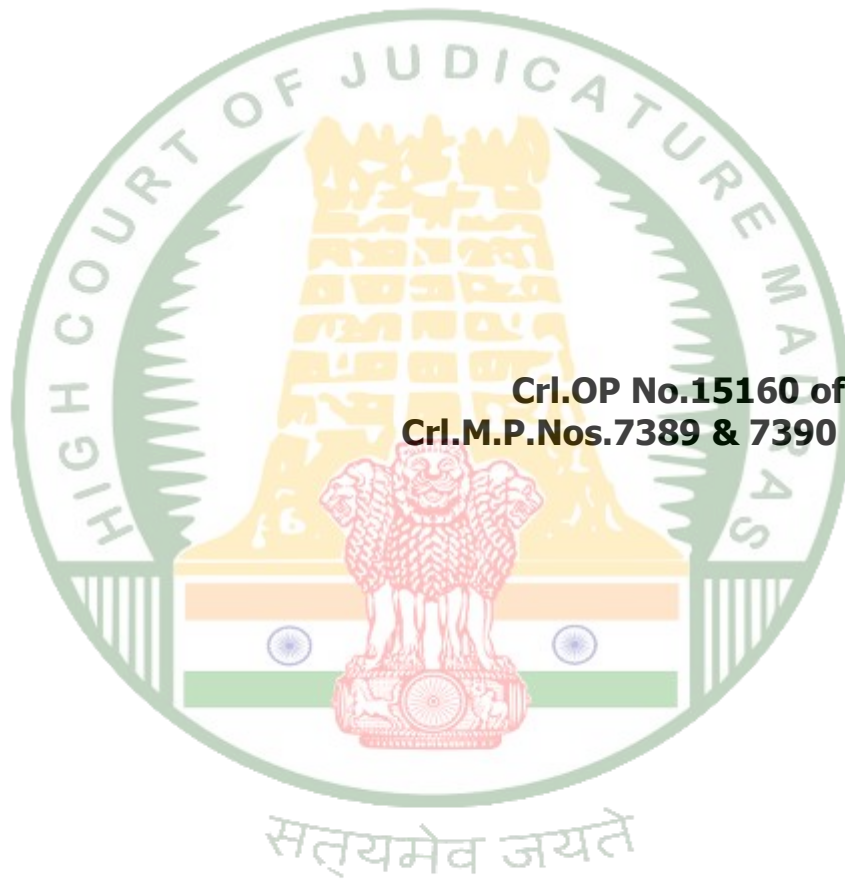
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To

- 1.The Fast Track No.2,
Judicial Magistrate Level,
Coimbatore.
- 2.The Public Prosecutor,
High Court of Madras,
Madras.



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