

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.06.2019
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.OP No.15915 of 2019
and
Crl.MP Nos.7935 & 7936 of 2019

1.Kuppusamy
2.Mohan
3.Krishnan

.. Petitioners

.Vs.

1.The State rep.by
Inspector of Police,
T-6, Avadi Police Station,
Chennai-600 054.

2.Kandipan

.. Respondents

(Cr.No.1080 of 2014)

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to C.C.No.125 of 2017 on the file of Judicial Magistrate Court No.II, Poonamallee and to quash the same.

For Petitioner : Mr.C.Prabakaran

For R 1 : Mr.M.Mohamed Riyaz, APP

ORDER

This Criminal Original Petition has been filed challenging the proceedings pending before the Court below in C.C.No.125 of 2017.

2. The learned Additional Public Prosecutor on instruction submitted that the trial has already commenced and it is at the stage of examination of the Investigating Officer.

3. In view of the above development, this Court is not inclined to interfere with the proceedings at this stage and it is left open to the petitioners to raise all the grounds before

the Court below and the same shall be considered on its own merits and in accordance with law.

4. The learned counsel for the petitioners submitted that considering the age of the petitioners, their appearance can be dispensed with before the Court below. The appearance of the petitioners is dispensed with and they shall be represented by a counsel. The counsel representing the petitioners shall cross examine the witnesses on the same day they are examined in chief. The petitioners shall be present before the Court below at the time of questioning under Section 313 of Cr.P.C. and at the time of passing final judgment.

This Criminal Original petition is disposed of with a direction to the learned Judicial Magistrate-II, Poonamallee, to dispose of the proceedings in C.C.No.125 of 2017, within a period of three months from the date of receipt of copy of the order. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

KP

To

1. The Inspector of Police,
T-6, Avadi Police Station,
Chennai-600 054.
2. The Judicial Magistrate,
Judicial Magistrate Court No.II,
Poonamallee.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr.C.Prabakaran, Advocate sr.53016

Cr1.O.P. No.15915 of 2019

nr 25/07/2019