



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.18534 of 2019

and

CrI.M.P.Nos.9389 & 9390 of 2019

K.Selvaraj

...Petitioner/Accused 1

-Vs-

1. The State represented by
Inspector of Police,
Crime Branch DCB,
Kancheepuram.

2. Tr.Maganth Pasant Doss

...Respondents

Prayer: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for the records and quash the charge sheet filed in C.C.No.39 of 2012 on the file of the Judicial Magistrate Court No.I, Chengalpet.

For Petitioner : Mr.R.Prem Narayan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
(for R1)

ORDER

This petition has been filed challenging the proceedings initiated by the respondents against the petitioner under Sections 120-B, 420 and 468 of IPC.

2. The grounds raised by the counsel for the petitioner are all factual in nature and it requires appreciation of evidence and this Court cannot decide the same in exercise of its jurisdiction under Section 482 of Criminal Procedure Code. It is left open to the petitioner to raise all the grounds before the Court 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 pending before the Court below.



3. The learned counsel for the petitioner requested this Court to dispense with the presence of the petitioner. Taking into consideration, the facts and circumstances of the case, the presence of the petitioner is dispensed with and he shall be represented by a counsel, who shall cross examine the witnesses on the same day, they are examined in Chief. 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 final judgement.

4. Accordingly, this Criminal Original Petition is dismissed and the Court below is directed to complete the proceedings in C.C.No.39 of 2012 within a period of three months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Joint Registrar (Judicial)

//True Copy//

Sub Assistant Registrar

sni

To

1. The Judicial Magistrate No.1,
Chengalpet, Kancheepuram District.
2. - do - through The Chief Judicial Magistrate,
Kancheepuram Dt.
3. The Inspector of Police,
Crime Branch DCB,
Kancheepuram.
4. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.Prem Narayan, Advocate, S.R.No.59141

Crl.O.P.No.18534 of 2019
and

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NR(CO)
SSM(06/08/2019)