

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No. 18057 of 2019
and
Crl.M.P Nos.9116 & 9117 of 2019

1.Rajamani
2.Rajammal

...Petitioners

.Vs.

1.The Deputy Superintendent of Police,
Rural Sub Division,
Salem District.

2.Mani

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records pertaining to Spl.S.C.No.13 of 2019, on the file of the Principal Sessions Court, Salem and quash the same in respect of these petitioners.

For Petitioners: Mr.T.Balaji

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

For R 2 : Mr.S.Kolandasamy

ORDER

This Criminal Original Petition has been filed seeking to call for the records pertaining to Spl.S.C.No.13 of 2019, on the file of the Principal Sessions Court, Salem.

2. The grounds raised by the counsel for the petitioners 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 petitioners 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 petitioners requested this Court to dispense with the presence of the petitioners. Taking into consideration, the facts and circumstances of the case, the presence of the petitioners is dispensed with and they shall be represented by a counsel, who 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 Cr.P.C., and at the time of passing of the final judgment.

4. Accordingly, this Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in Spl.S.C.No.13 of 2019, within a period of six months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

KP
To

1.The Principal Sessions Court, Salem.

2.The Deputy Superintendent of Police,
Rural Sub Division,
Salem District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Thiyagarajan, Advocate Sr.64393

CRL.OP.No.18057 of 2019

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srg 29/08/2019