

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.18979 of 2019
and CrI.M.P.Nos.9675 & 9676 of 2019

Siva Perumal

...Petitioner

-Vs-

1. The Inspector of Police,
District Crime Branch,
Vellore,
Vellore District.
(Crime No.06 of 2011).

2. D.Ranganathan

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records in pursuant to C.C.No.69 of 2014 on the file of the Judicial Magistrate No.I, Walaja, Vellore District and quash the same.

For Petitioner : Mr.M.Sathish kumar

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to call for the entire records in C.C.No.69 of 2014 on the file of the Judicial Magistrate No.I, Walaja, Vellore District and quash the same.

2. It is reported that A1 has already died and there is a non-bailable warrant pending against A3. If A3 is not able to be secured by the respondent police, the case may be split up and the proceedings shall be commenced insofar as the petitioner is concerned and completed within the time stipulated by this Court.

3. The various grounds raised by the learned counsel for the petitioner is all factual in nature and the same requires

appreciation of evidence in the course of the trial and the said exercise cannot be done by this Court in exercise of its jurisdiction 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 Court below shall consider the same on its own merits and in accordance with law. This Court does not want to interfere with the proceedings at this stage.

4. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.69 of 2014 on the file of the Judicial Magistrate No.I, Walaja, Vellore District, within a period of three months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Learned Judicial Magistrate No.I,
Walaja,
Vellore District.
2. The Inspector of Police,
District Crime Branch,
Vellore,
Vellore District.
- 3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.18979 of 2019
and Crl.M.P.Nos.9675 & 9676 of 2019

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