



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.19270 of 2019

and

Crl.M.P.Nos.9859 & 9860 of 2019

1.Mary
2.S.Usha

... Petitioners

-Vs-

1.The Inspector of Police,
All Women Police Station (East)
Coimbatore.
(Crime No.15 of 2013)

..Respondent/ Complainant

2.Ramya

... Respondent/De-facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records in C.C.No.16 of 2014, pending on the file of the learned Additional Mahila Court (Magisterial Level) Coimbatore in Crime No.15 of 2013 on the file of the 1st Respondent and quash the same.

For Petitioners : M/s.Jerald C.Tennyson

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

ORDER

This petition has been filed to call for the records in C.C.No.16 of 2014, pending on the file of the learned Additional Mahila Court (Magisterial Level) Coimbatore in Crime No.15 of 2013 on the file of the 1st Respondent and quash the same.

2. The various grounds raised by the learned counsel for the petitioners are 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.

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 judgement.

4. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.16 of 2014, on the file of the Additional Mahila Court (Magisterial Level) Coimbatore, within a period of four months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

vs/jas

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Additional Mahila Court,
(Magisterial Level),
Coimbatore.
2. The Inspector of Police,
All Women Police Station (East)
Coimbatore.
3. The Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr.M.Govindaraju, Advocate, SR.No.62206

CrI.O.P.No.19270 of 2019
and
CrI.M.P.Nos.9859 & 9860 of 2019

Kak(06/08/2019)