

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2019

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.21250 of 2019

and

Crl.M.P.Nos.10998 & 10999 of 2019

Rajendhiran ... Petitioner

-vs-

1.The State Represented by
Inspector of Police,
Anaikaranchathiram Police Station,
Sirkali Taluk,
Nagapattinam District.
...1st Respondent/Complainant
(Crime No.92 of 2017)

2.Ayyappan ...2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to Special S.C.No.5 of 2019 on the file of Principal District Court, Nagapattinam and to quash the same and allow the above Criminal Original Petition.

For Petitioner : Mr.M.Vinoth

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

ORDER

This Criminal Original Petition has been filed to call for the records relating to Special S.C.No.5 of 2019 on the file of Principal District Court, Nagapattinam and to quash the same and allow the above Criminal Original Petition.

2.The various grounds raised by the learned counsel for the petitioner 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.This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in Special S.C.No.5 of 2019, on the file of the Principal District Court, Nagapattinam, 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)

//True Copy//

Sub Assistant Registrar

vs
To

- 1.The Principal District Court,
Nagapattinam.
- 2.The Inspector of Police,
Anaikaranchathiram Police Station,
Sirkali Taluk,
Nagapattinam District.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Vinoth , Advocate SR.No. 67515

CRL.O.P.No.21250 of 2019

and

CrI.M.P.Nos.10998 & 10999 of 2019

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A.SK(06/09/2019)