

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2019

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.21416 of 2019

and

Crl.M.P.Nos.11073 and 11074 of 2019

M/s.Sandcube Infrastructure Private Limited

By its Managing Director,

Amarendra Singh

... Petitioner

-vs-

M/s.Sathya Granites,

represented by its Managing Director

P.K.Pownraj

... Respondent

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.30 of 2018 on the file of the third Judicial Magistrate No.I, Dharmapuri and quash the same.

For Petitioners : Mr.G.V.Sridharan

ORDER

This Criminal Original Petition has been filed to call for the records relating to C.C.No.30 of 2018 on the file of learned Judicial Magistrate No.I, Dharmapuri 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 petitioners 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 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 they 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 judgment.

4.This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.30 of 2018 on the file of learned Judicial Magistrate No.I, Dharmapuri, within a period of four months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Judicial Magistrate No.I,
Dharmapuri.

AKM/16.09.19/2P-2C /

CRL.O.P.No.21416 of 2019
and

CrI.M.P.Nos.11073 and 11074 of 2019



WEB COPY