

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.22237 of 2019
and Cr1.M.P.Nos.11533 and 11534 of 2019

Gunasekaran

...Petitioner / Accused

Vs.

1. The State rep by its
The Inspector of Police,
G-1, Vepery Police Station (L & O)
Vepery,
Chennai - 600 007. ...1st Respondent/Complainant
2. M.Varadharajan ...2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for records in C.C.No.2663 of 2018 on the file of the II Metropolitan Magistrate, Egmore and quash the same.

For Petitioner : Mr.M.Kalaiyaran

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

ORDER

This Criminal Original Petition has been filed challenging the proceedings initiated by the 1st respondent against the petitioner for an offence under Sections 341, 323, 294(b), 384 and 506(ii).

2. 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.

3. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.2663 of 2018, on the file of the II Metropolitan Magistrate, Egmore, Chennai, 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 (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Metropolitan Magistrate No-II,
Egmore, Chennai,
2. The Inspector of Police,
G-1, Vepery Police Station (L & O)
Vepery,
Chennai - 600 007.
3. The Public Prosecutor,
High Court of Madras,
Madras.

+1 cc to Mr.M.Kalaiyaran, Advocate, S.R.No.70656

CrI.O.P.No.22237 of 2019
and CrI.M.P.Nos.11533 and 11534 of 2019

PVS (CO)
SSM(16/09/2019)

सत्यमेव जयते

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