

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P.No.22224 of 2019  
and CrI.M.P.Nos.11525 and 11526 of 2019

R.Sridhar

...Petitioner/Accused

Vs.

C.Sivakumar

Son of Mr.Chitty Babu,  
Assistant Manager - Employee Relations  
M/s.Hyundai Motor India Limited (HMIL)  
Plot No.H-1, SIPCOT Industrial Park,  
Irungattukattai,  
Sriperumbudur Taluk,  
Kancheepuram District.  
Tamilnadu - 602 117.

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records relating to S.T.C.No.3874 of 2016 pending on the file of the District Munsif cum Judicial Magistrate, Sriperumbudur, and quash the same.

For Petitioner : Mr.A.L.Franc Paul Asirvadam

ORDER

This Criminal Original Petition has been filed challenging the proceedings initiated by the 1<sup>st</sup> respondent against the petitioner for an offence under Section 500 of IPC.

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. 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 he shall be represented by a counsel, who shall cross examine the witnesses on the same day, he is 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 S.T.C.No.3874 of 2016 pending on the file of the Judicial Magistrate, Sriperumbudur, 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(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The District Munsif cum Judicial Magistrate,  
Sriperumbudur.

2. The Chief Judicial Magistrate,  
Kancheepuram.

Crl.O.P.No.22224 of 2019  
and Crl.M.P.Nos.11525 and 11526 of 2019

PP(CO)  
SSM(05/09/2019)

सत्यमेव जयते

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