

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.23387 of 2019

C.Vijayakumar

... Petitioner

vs.

1. The Inspector of Police,
District Crime Branch,
Namakkal.

... Respondent / Complainant

2. Maduraipillai

..Respondent / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records pertaining to the impugned charge sheet registered in C.C.No.201 of 2018 on the file of Judicial Magistrate No.1, Namakkal and quash the same against the petitioner / A2.

For Petitioner : Mr.R.Senthilkumar

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.201 of 2018, on the file of Judicial Magistrate No.1, Namakkal 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. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.201 of 2018 on the file of Judicial Magistrate No.1, Namakkal, within a period of three months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

29.08.2019

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order

N. ANAND VENKATESH, J.,
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To

1. The Inspector of Police,
District Crime Branch,
Namakkal.
2. The Public Prosecutor,
High Court of Madras,
Madras.



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