

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P.No.23360 of 2019
and CrI.M.P.No.12273 and 12274 of 2019

Julian Anand

... Petitioner

vs.

1. State Rep. by Inspector of Police,
All Women Police Station,
Tambaram,
Chennai. ...1st respondent /Complainant

2. Vijaitha Christy ...2nd respondent / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records in Spl. S.C.No.42 of 2019 on the file of the Mahila Court, Chengalpattu and quash the same and pass such further or other order of this Court.

For Petitioners: Mr.K.S.Rajagopal for
Mr.S.Panneer Selvam

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

ORDER

This petition has been filed to call for the records in Spl. S.C.No.42 of 2019, pending on the file of the learned Mahila Court, Chengalpattu, 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 Spl. S.C.No.42 of 2019, pending on the file of the learned Mahila Court, Chengalpattu, 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

//True Copy//

Sub Assistant Registrar

To

- 1.The Judge,
Mahila Court, Chengalpattu.
- 2.The Inspector of Police,
All Women Police Station,
Tambaram,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

+lcc to Mr.S.Panneerselvam, Advocate Sr.74994

Crl.O.P.No.23360 of 2019
and Crl.M.P.No.12273 and 12274 of 2019

BS (CO)
srg 27/09/2019

WEB COPY