

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.23600 of 2019
and
Crl.M.P.No.12436 of 2019

S.Saritha

..Petitioner/Accused

vs.

P.Madhavan

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records in C.C.No.106 of 2019, pending on the file of the learned Fast Track Court No.I, Magistrate Level, Coimbatore and quash the same.

For Petitioners : Mr.V.Karnan

ORDER

This petition has been filed to call for the records in C.C.No.106 of 2019, pending on the file of the learned Fast Track Court No.I, Magistrate Level, Coimbatore 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. 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 she 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 judgement.

4. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.106 of 2019, on the file of the Fast Track Court No.I, Magistrate level, Coimbatore , within a period of four months from the date of receipt of copy of this order. Consequently, connected miscellaneous petition is closed.

rka

Sd/-

Assistant Registrar

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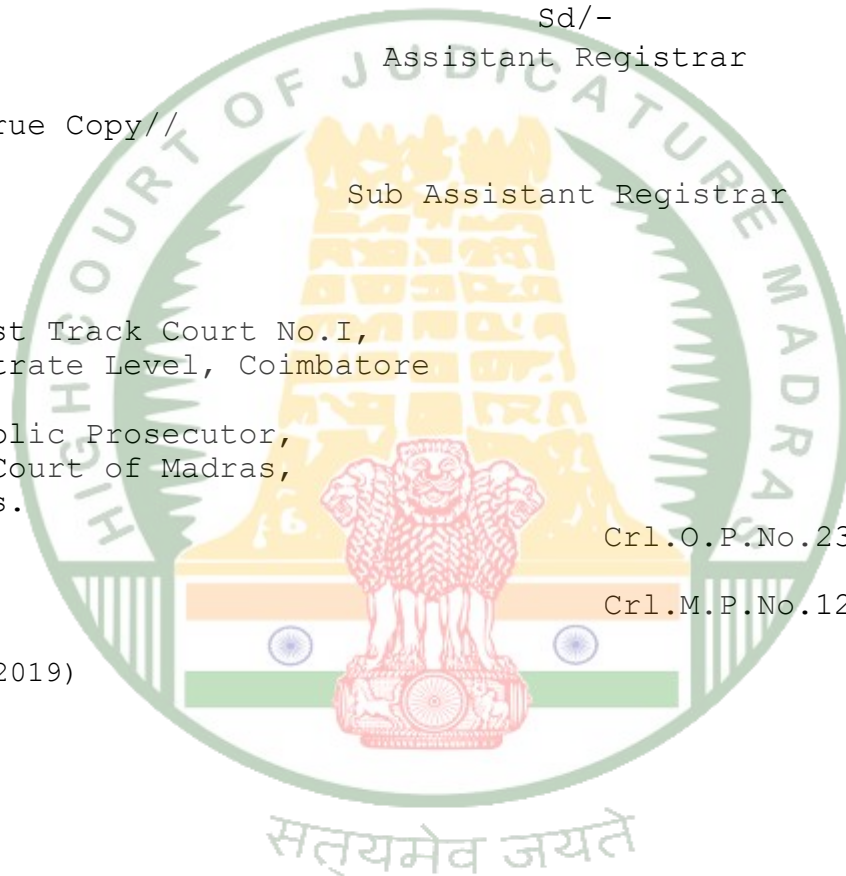
Sub Assistant Registrar

To

1. The Fast Track Court No.I,
Magistrate Level, Coimbatore
2. The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P.No.23600 of 2019
and
Crl.M.P.No.12436 of 2019

Kak(14/10/2019)



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