



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2019

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**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**CRL.O.P(MD)No.14013 of 2017**

**and**

**CRL.M.P(MD)Nos.9391 and 9392 of 2017**

Shanavas

.. Petitioner/Sole Accused

Vs.

A.M.Kadar Meera

.. Respondent/Complainant

**PRAYER :** Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the case in S.T.C.No.249 of 2017 on the file of the learned District Munsif cum Judicial Magistrate, Ilayangudi and quash the same.

For Petitioner : Mr.Usillai O.Sivakumar

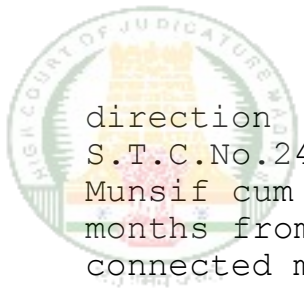
**ORDER**

This petition has been filed to call for the records in S.T.C.No.249 of 2017, pending on the file of the learned District Munsif cum Judicial Magistrate, Ilayangudi and quash the same.

2. The various grounds raised by the learned counsel for the petitioner 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 he 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  
<https://hcservices.ecourts.gov.in/hcservices/>



direction to the Court below to complete the proceedings in S.T.C.No.249 of 2017, pending on the file of the learned District Munsif cum Judicial Magistrate, Ilayangudi, within a period of three months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

TM

To

The District Munsif cum Judicial Magistrate, Ilayangudi.

**CRL.O.P (MD) No.14013 of 2017**

24.10.2019

KK/SAR/14.11.2019/2P-2C/