



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P(MD)No.7341 of 2017

and Crl.M.P(MD)Nos.5007 & 5008 of 2017

V.Senthilraj

... Petitioner/Respondent

vs.

1.M.Narmatha

...Respondent/Complainant

2.Minor S.Anirva

(Second respondent being a minor,
is represented by the
first respondent M.Narmatha)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records from the Lower Court in D.V.C.No.3 of 2017, on the file of the Judicial Magistrate, Aruppukkottai, Virudhunagar District and quash the same.

For Petitioners : Mr.Senthil kumar

ORDER

This petition has been filed to call for the records from the Lower Court in D.V.C.No.3 of 2017, on the file of the Judicial Magistrate, Aruppukkottai, Virudhunagar District and quash the same.

2.Heard the learned counsel for the Petitioner and perused the materials placed before this Court.

3. 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.

4. 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. The Petitioner shall present before the Court below as and when required, during the important dates of hearing.



5. This Criminal Original Petition is therefore dismissed, however, with a direction to the Court below to complete the proceedings in D.V.C.No.3 of 2017, on the file of the Judicial Magistrate, Aruppukkottai, Virudhunagar District 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(CS)

vsn

To

The Judicial Magistrate,
Aruppukkottai,
Virudhunagar District.

Cr1.O.P(MD)No.7341 of 2017
and Cr1.M.P(MD)Nos.5007 & 5008 of 2017
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