

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2021

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.10631 of 2013

and Crl.M.P.No.1 of 2013

Valli

W/o.(Late) Palanivelu

...Petitioner /Pw-4/Victim

Vs.

1.Inspector of Police

Oomangalam P.S.

Virudachalam Taluk

Cuddalore District

(In Cr.No.7/2011)

...1st Respondent/De-Jure Complainant

2.The District Superintendent of Police

Cuddalore District

Cuddalore

3.The Director General of Police (Law & Order)

Government of Tamil Nadu

Dr.Radhakrishnan Road,

Mylapore, Chennai-600 004 ...Respondents 2 & 3

4.Sakkarai

S/o.Jeyaraman

5.Srinivasan

S/o.Jeyaraman

...Respondents 4 & 5/Accused 1 & 2

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records from the file of learned Assistant Sessions Judge, Neyveli in connection with S.C.67/2012, order to quash trial proceedings consequently order for further investigation as contemplated under Section 173(8) Cr.P.C. by any other police agency in order to secure ends of justice to the victim of crime.

For Petitioner : Mr.T.Jaishankar (NA)

For Respondents-1 to 3 : Mr.C.Iyyapa Raj

Additional Public Prosecutor\

For Respondents- 4&5 : No Appearance

O R D E R

(The case has been heard through video conference)

This Petition has been filed under Section 482 Cr.P.C., to call for the records from the file of learned Assistant Sessions Judge, Neyveli in connection with S.C.67/2012 and to quash the trial proceedings and consequently order for further

investigation as contemplated under Section 173(8) Cr.P.C. by any other police agency.

2. When the matter was listed on 19.01.2021, there was no representation either for the petitioner or her Counsel and thereby, this Court had directed the matter to be listed under the caption "for dismissal". Even today, neither the petitioner nor her Counsel is present before this Court. Verification of records show that the petitioner has been irregular and on earlier occasions also, the case had been posted under the caption "for dismissal". It is a Sessions case of the year 2012. The petitioner after filing the petition before this Court, has been irregular and thereby, the Sessions case on the file of the learned Assistant Sessions Judge, Neyveli is kept pending. It is reported by the learned Additional Public Prosecutor that the case has been posted on 19.02.2021 for appearance of accused.

3. Taking into consideration the above facts, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous petition is closed.

4. The trial Judge is directed to give priority to the case in S.C.No.67 of 2012.

Sd/-

Assistant Registrar (CS.II)

/True Copy/

Sub Assistant Registrar

To

1. The Assistant Sessions Judge, Neyveli.
2. -Do-Thro' The Principal Sessions Judge, Cuddalore.
3. The Inspector of Police, Oomangalam Police Station, Virudachalam Taluk, Cuddalore District
4. The District Superintendent of Police, Cuddalore District, Cuddalore
5. The District Collector, Cuddalore.
6. The Director General of Police (Law & Order) Government of Tamil Nadu, Dr.Radhakrishnan Road, Mylapore, Chennai-600 004
7. The Public Prosecutor, Madras High Court, Chennai.

AKM/19.2.21 /2P-8C/

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CrI.M.P.No.1 of 2013