



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.11145 of 2015

and

M.P.No.1 of 2015

Vijaya Ganesh

.. Petitioner/Accused

Vs.

1.The State of Tamilnadu,
Rep. by its Deputy Superintendent of Police,
Palladam Sub-Division, Palladam.
(Crime No.1924/2011)

..1st Respondent/Complainant

2.Shanmugam Kari

..2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in S.C.No.58 of 2014 on the file of the Mahila Court, Tiruppur and to quash the same.

For Petitioner .. Mr.D.Senthilkumar

For R1 .. Mr.E.Raj Thilak,
Government Advocate (Criminal Side)

ORDER

Heard Mr.D.Senthilkumar, learned counsel for the petitioner who now appears on behalf of the petitioner / accused and also Mr.E.Raj Thilak, learned Government Advocate (Criminal Side) who appears for the 1st respondent.

2.Sessions Case No.58 of 2014 now pending on the file of the Mahila Court, Tiruppur, is being prosecuted for alleging offence under Section 304-B of IPC and also for offence under Section 4 of the Dowry Prohibition Act, 1961. During the pendency of the present Criminal Original Petition for the past six years, the Trial Court had taken the decision to proceed further with the trial.



3. I find no mistake in that particular decision taken.

4. It is stated that out of thirteen witnesses five witnesses have already been examined. Three witnesses had been dispensed with. This naturally means that before the Trial Court, the counsel for the present petitioner / accused is actively participating in the trial proceedings which is appreciable.

5. Let the trial continue and let the learned Judge, Mahila Court Tiruppur, give a considered judgment on analysis of evidence produced before the prosecution and also on the explanations given by the accused to such evidence.

6. The learned counsel for the petitioner stated that the petitioner herein is a resident of Hyderabad. The Trial Judge may keep that in mind and if possible conduct the trial on a day to day basis, so that the trial can be concluded at the earliest. The petitioner is directed to co-operate during the trial proceedings.

7. With the said observations, the Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

smv

To

1. The Judge,
Mahila Court,
Tiruppur.

2. The Deputy Superintendent of Police,
Palladam Sub-Division,
Palladam.

3. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.11145 of 2015

KSM (CO)
PR (12/10/2021)