

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl. OP No.1216 of 2021  
and Crl. MP Nos.741 & 742 of 2021

D.Suppuraj ... Petitioner/Accused

vs.

1. The Inspector of Police,  
Kayalarbath Police Station,  
Ariyalur District.  
(Crime No.121 of 2018) ...1<sup>st</sup> Respondent/Complainant

2. Kalpana ... 2<sup>nd</sup> Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to C.C.No.2 of 2019 on the file of District & Sessions Court, Ariyalur and to quash the same.

For Petitioner : Mr. V.Illanchezian

For Respondents: Mr.C.Raghavan,  
Government Advocate, for R1

ORDER

This petition has been filed seeking to quash the proceedings in C.C. No.2 of 2019 pending on the file of District & Sessions Court, Ariyalur.

2. The grounds that have been raised by the learned counsel for the petitioner is purely factual in nature and this Court cannot go into the same in exercise of its jurisdiction under Section 482 of Cr.P.C. It is left open to the petitioner to raise these grounds before the Court below and the Court below shall consider the same on its own merits and in accordance with law.

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3. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings, within a period of three months from the date of receipt of a copy of this order. The trial shall be conducted on a day to day basis in accordance with the guidelines given by Hon'ble Supreme Court reported in Vinod Kumar Vs State of Punjab [2015 (1) MLJ (Cr1) 288 SC]. If the petitioner adopts any dilatory tactics, it is open to the trial Court to insist upon the presence of the petitioner and remand him to custody as per the judgment of the Hon'ble Supreme Court in STATE OF UTTAR PRADESH VS. SHAMBHU NATH SINGH (JT 2001 (4) SC 3191). Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

jv

To

1. The Inspector of Police,  
Kayalarbath Police Station,  
Ariyalur District.
2. The Public Prosecutor,  
High Court of Madras,  
Chennai 600 104.

Cr1. OP No.1216 of 2021  
and Cr1. MP Nos.741 & 742 of 2021

VSN II(CO)  
CB(16/02/2021)

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