

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.OP.No.1571 of 2021
and Crl.MP.Nos.916 & 917 of 2021

1. Padmavathi
W/o.Venkat

2. Andhumaye
W/o.Velu (Late)

3. Arockiya Mary
W/o.Ravisathyanathan ... Petitioners

Vs.

1.The State Rep. by
Sub Inspector of Police
Chintadaripet Police Station
Triplicane.

2.Anjalai
W/o.Sowndar Rajan ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records in C.C.No.4155 of 2020 on the file of the XIV Metropolitan Magistrate Court at Egmore, Chennai and to quash the same.

For Petitioners : Mr.R.Thirumoorthy

For R1 : Mr.C.Raghavan
Government Advocate (Crl. Side)

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O R D E R

This petition has been filed seeking to quash the proceedings in C.C.No.4155 of 2020, pending on the file of the learned XIV Metropolitan Magistrate, Egmore.

2.The petitioners before this Court have been arrayed as A1 to A3 in the final report for an offence punishable under 341, 323, 294(b) IPC.

3.The learned Government Advocate (Criminal Side) submitted that there are prima facie materials against the petitioners.

4. This Court has carefully considered the submissions made on either side and also perused the materials placed on record.

5. The grounds that have been raised by the learned counsel for the petitioners is purely factual in nature and this Court cannot go into the same in exercise of its jurisdiction under Section 482 Cr.P.C. It is left open to the petitioners 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.

6. The learned counsel for the petitioners requested this Court to dispense with the presence of the petitioners. The presence of the petitioners is dispensed with and they shall be represented by a counsel, who shall cross examine the witnesses on the same day, they are examined in Chief. The petitioners 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.

7. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.4155 of 2020, 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]. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The XIV Metropolitan Magistrate Court at Egmore,
Chennai.

2.The Sub Inspector of Police,
Chintadaripet Police Station,
Triplicane.

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3.The Public Prosecutor,
High Court, Madras.

CrI.OP.No.1571 of 2021

vsn II[co]
srg 23/02/2021



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