

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.01.2021
CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl. OP No.1214 of 2021
and Crl. MP Nos.743 & 744 of 2021

Rajkumar ... Petitioner/Accused
vs.

1. The State rep. By
Inspector of Police,
Gurubarapalli Police Station,
Krishnagiri District.
(Crime No.152 of 2019)1st Respondent/Complainant

2. Sarasu ... 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.315 of 2020 on the file of Additional Mahila Court, Krishnagiri and to quash the same.

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

ORDER

This petition has been filed seeking to quash the proceedings in C.C. No.315 of 2020 pending on the file of Additional Mahila Court, Krishnagiri.

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.

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 (Crl) 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 (C.S.VII)

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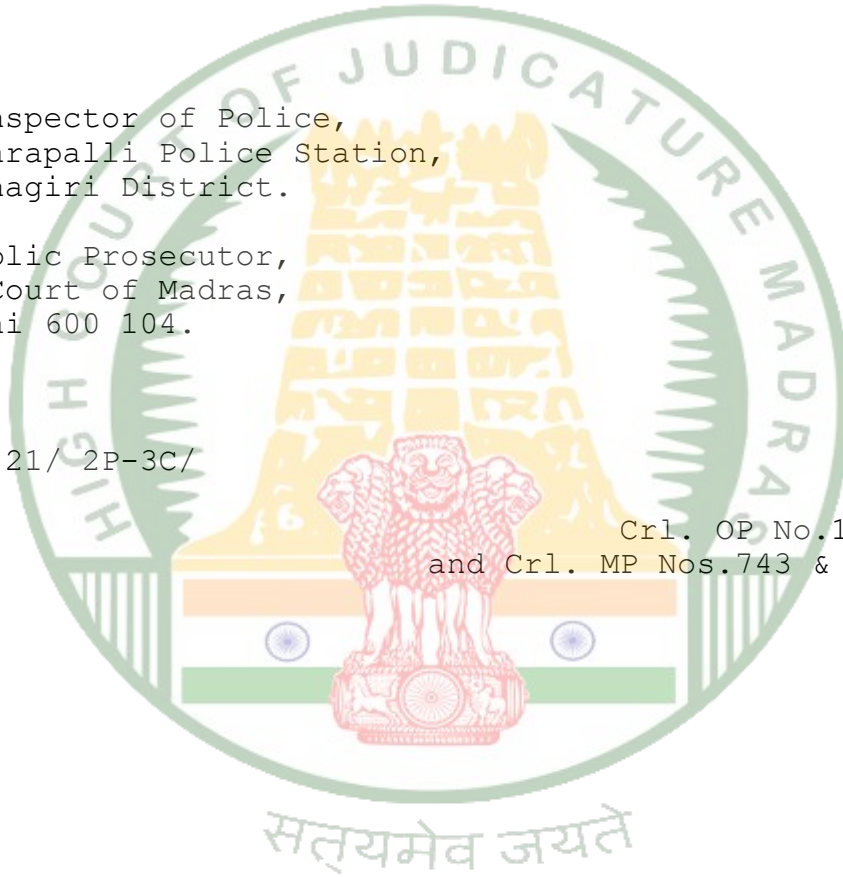
Sub Assistant Registrar

To

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

AKM/18.02.21/ 2P-3C/

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