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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.10.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

CRL.OP.NO.29186/2015 & MP.NO.1/2015

[VIDEO CONFERENCING]

Mrs.R.Jayanthi

... Petitioner/Accused

Versus

Mrs.G.Rajeshwari

... Respondent/Complainant

Prayer : -

Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in STC.No.8913/2013 on the file of the learned Judicial Magistrate, Tambaram, quash the proceedings therein.

For Petitioner	:	Mr.L.Ramu
For Respondent	:	Mr.J.Thilak Raj

ORDER

- (1) The petition has been filed seeking to interfere with the further progress of STC.No.8913/2013 pending on the file of the learned Judicial Magistrate, Tambaram.
- (2) The petitioner is the accused in the said STC.No.8913/2013.
- (3) Heard Mr.L.Ramu, learned counsel for the petitioner and Mr.J.Thilak Raj, learned counsel for the respondent.
- (4) It is the contention of the learned counsel for the petitioner/accused that the complaint is bereft of material details and therefore, seeks interference of this Court with further progress of the said case.
- (5) However, it is the contention of the learned counsel for the respondent/defacto complainant that the defacto complainant had already grazed the witness box and at the time of cross examination, the present petition has been filed.



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- (6) An opportunity must be granted to the petitioner/accused to raise all issues during the course of cross examination of the 2nd respondent / defacto complainant and the learned Judicial Magistrate, Tambaram, may appreciate the evidence in its proper perspective and pass a judgment accordingly.
- (7) Let me not delve into the facts and let me not observe any fact also. Let the parties handle the issues in the witness box and the learned counsels may conduct trial.
- (8) With those observations the Criminal Original Petition stands dismissed, directing both the parties, viz., the petitioner/accused and the respondent/defacto complainant, to go back to the Trial Court and participate in the trial proceedings. The learned Judicial Magistrate, Tambaram, may make every endeavour to dispose of STC.No.8913/2013 on or before 31.01.2022. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1. The Judicial Magistrate
Tambaram.

+2ccs to Mr.J.Thilak Raj, Advocate, S.R.No.52523

Cr1.OP.No.29186/2015

SJ(CO)
PM/28/10/2021