

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**Crl.O.P.No.8052 of 2018
and Crl.M.P.Nos.4145 and 4146/2018**

1.V.Elangovan
2.Mrs.Sumathi ... Petitioners

Vs.

1.The State rep.by
the Inspector of Police,
P2-Otteri Police Station,
Chennai.

2.The Deputy Commissioner of Police,
Central Crime Branch,
Chennai.

3.The State rep.by
The Inspector of Police,
Central Crime Branch,
conventional Crime, Team-19,
Veppery, Chennai 600 007.

4.Mrs.Anantheeswari ... Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.No.3343/2017 pending on the file of the Chief Metropolitan Magistrate Court, Chennai and quash the same.

For Petitioners : Mr.R.Kannan

For RR1 to 3 : Mr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER

The petitioners have filed this petition seeking to call for the records in C.C.No.3343/2017, pending on the file of the Chief Metropolitan Magistrate Court, Chennai and quash the same.

2. The grounds raised by the counsel for the petitioners are all factual in nature and it requires appreciation of evidence and this Court cannot decide the same in exercise of its jurisdiction under Section 482 of Criminal Procedure Code. It is left open to the petitioners to raise all the grounds before the Court and the same shall be considered on its own merits and in accordance with law. This Court is not inclined to interfere with the proceedings pending before the Court below.

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3.It is now represented by the learned counsel appearing for the petitioners that without going into the merits of the case, it would suffice, if this Court issues direction to the Trial Court to expedite the trial and

complete the same as early as possible. He would further submit that the appearance of the petitioners before the Trial Court may be dispensed with.

4.In view of the above, this Court directs the learned Chief Metropolitan Magistrate, Chennai to expedite the trial in C.C.No.3343/2017, and complete the same, within a period of six months from the date of receipt of a copy of this order. The appearance of the petitioners before the Trial Court is dispensed with. However, this order will not stand on the way of the Trial Court to insist for the appearance of the petitioners for receiving copies under Section 207 of Cr.P.C., framing of charges, questioning under Section 313 of Cr.P.C. and judgment and as and when the Trial Court feels it necessary.

5.With the above directions, this criminal original petition is disposed of. Consequently, connected miscellaneous petition, if any, is closed.

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Speaking Order/ Non Speaking Order

Index: Yes/ No

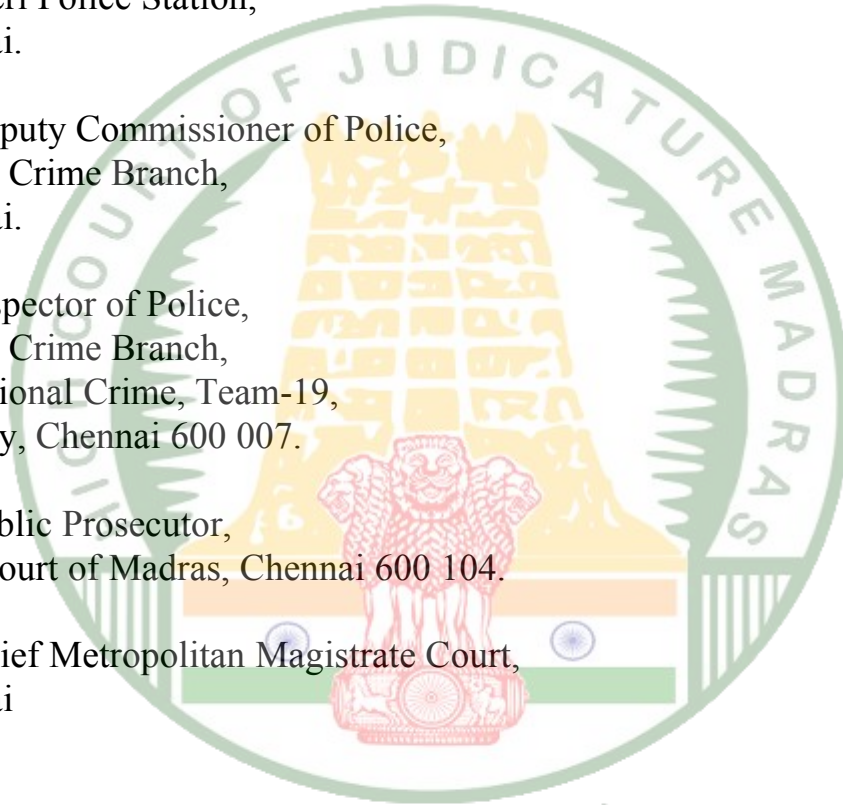
Internet: Yes/ No

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M.DHANDAPANI,J.
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To

- 1.The Inspector of Police,
P2-Otteri Police Station,
Chennai.
- 2.The Deputy Commissioner of Police,
Central Crime Branch,
Chennai.
- 3.The Inspector of Police,
Central Crime Branch,
conventional Crime, Team-19,
Veppery, Chennai 600 007.
- 4.The Public Prosecutor,
High Court of Madras, Chennai 600 104.
- 5.The Chief Metropolitan Magistrate Court,
Chennai



सत्यमेव जयते Crl.O.P.No.8052 of 2018

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