



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.6164 of 2018

and

Crl.M.P.No.3080 of 2018

1.R.Baburajan

2. N.Balamurugan

.. Petitioners

Vs.

1. The State rep. by
The Inspector of Police,
Cuddalore OT Police Station,
Cuddalore OT.

2. K.Chandira

.. Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to call for the records in CC.No.150 of 2016 now pending trial on the file of the learned Judicial Magistrate-II, Cuddalore and quash the final report dated 23.06.2016.

For Petitioners : Mr.S.Bazeer Ahamed

For Respondents : Mr.C.E.Pratap R1
Public Prosecutor

Mr.D.Muthukumarappa R2

O R D E R

The petitioners have filed this petition seeking to call for the entire records in C.C.No.150 of 2016, on the file of the learned Judicial Magistrate-II, Cuddalore and quash the same.

2. Though several grounds have been raised by the learned counsel for the petitioners, however, this Court is of the opinion the issue is a triable issue and 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.

3. It is represented by the learned counsel appearing for the petitioners that this Court may issue a 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. Accordingly, this petition is disposed of directing the trial court to dispose of C.C. No.150 of 2016 as expeditiously as possible as per seniority of the case. The petitioners and respondent are directed to co-operate with the trial court for the early completion of trial. Further, taking into consideration the request as made by the learned counsel for the petitioner, their appearance before the trial court is dispensed with except for their appearance for the purpose of receiving the copy of the proceedings u/s 207 Cr.P.C., framing of charges, questioning under Section 313 Cr.P.C. and on the day on which judgment is to be pronounced. However, if for any particular reason, the presence of the petitioners is necessary, the trial court, at its wisdom, shall direct their appearance on those days. Consequently, connected miscellaneous petitions, if any, are closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

rli

To

1. The Inspector of Police,
Cuddalore OT Police Station,
Cuddalore OT.



2. The Judicial Magistrate-II,
Cuddalore.

3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+lcc to Mr.Muthu Kumarappa, Advocate, S.R.No.54947

Cr1.O.P.No.6164 of 2018
and
Cr1.M.P.No.3080 of 2018

GSM(CO)
SU(17/11/2021)