

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**Crl.O.P.Nos.6183 to 6185 of 2018
and
Crl.M.P.Nos.3092, 3094 & 3096 of 2018**

Venkatesan @
Milagaipodi Venkatesan

.. Petitioner in all Crl.O.Ps.

Vs.

The Inspector of Police (L & O),
M-4, Redhills Police Station,
Chennai – 600 052.

.. 1st Respondent in all Crl.O.Ps.

Perumal

.. 2nd Respondent in
Crl.O.P.No.6183 of 2018

Muthu

.. 2nd Respondent in
Crl.O.P.No.6184 of 2018

Anandan

.. 2nd Respondent in
Crl.O.P.No.6185 of 2018

Common Prayer: Petition filed under Section 482 of Cr.P.C., to call for the records relating to C.C.No.84 of 2014, C.C.No.114 of 2017 and C.C.No.181 of 2014, respectively on the file of the learned Judicial Magistrate-II, Ponneri and quash the same.

For Petitioner : Mr.G.Mohanakrishnan
in all Crl.O.Ps.

For Respondent-1 : Mr.A.Gopinath
in all Crl.O.Ps. Government Advocate (Crl.Side)

COMMON ORDER

The petitioner has filed these petitions seeking to call for the records in C.C.Nos.84 of 2014, 114 of 2017 and 181 of 2014, respectively on the file of the learned Judicial Magistrate-II, Ponneri and quash the same.

2. Though several grounds have been raised by the learned counsel for the petitioner, however, this Court is of the opinion the issue is a triable issue and the grounds raised by the counsel for the petitioner 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 petitioner 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 represented by the learned counsel appearing for the petitioner 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 petitioner before the Trial Court may be dispensed with.

4. Accordingly, these petitions are disposed of directing the trial court to dispose of C.C.Nos.84 of 2014, 114 of 2017 and 181 of 2014, respectively as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order. The petitioner and the private respondents 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, his appearance before the trial court is dispensed with except for his 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 petitioner is necessary, the trial court, at its wisdom, shall direct his appearance on those days. Consequently, connected miscellaneous petitions, if any, are closed.

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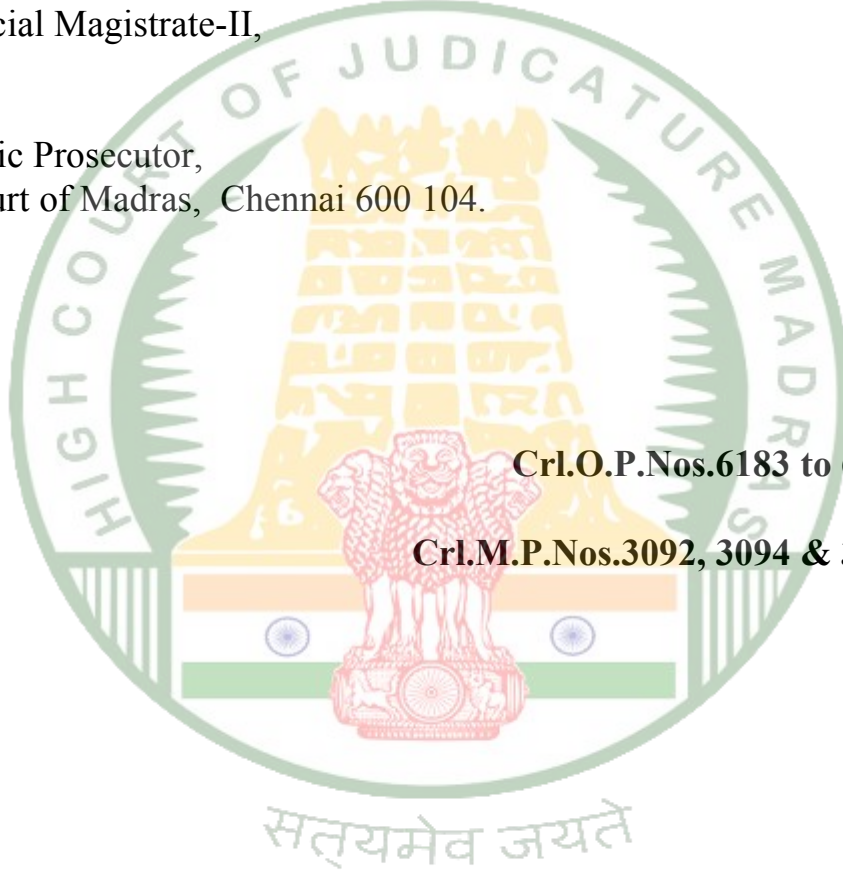
M.DHANDAPANI,J.

To

1.The Inspector of Police (L & O),
M-4, Redhills Police Station,
Chennai – 600 052.

2.The Judicial Magistrate-II,
Ponneri.

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



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