

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**Crl.O.P.No.4210 of 2018
and
Crl.M.P.Nos.1943 and 1944 of 2018**

Murugesan

.. Petitioner

Vs.

1. State represented by
Inspector of Police,
All Women Police Station,
Gobichettipalayam,
Erode District.

2. Parimala

.. Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.NO.1 of 2018 pending on the file of Judicial Magistrate No.II, Gobichettipalayam, Erode District quash the charge sheet.

For Petitioner : Mr.R.Balakrishnan

For Respondents : Mr.A.Gopinath

Government Advocate (Crl Side)

ORDER

The petitioner has filed this petition to call for the records in C.C.NO.1 of 2018, pending on the file of Judicial Magistrate No.II, Gobichettipalayam, Erode District and quash the same.

2. 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.

3.It is now represented by the learned counsel appearing for the petitioner 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 petitioner before the Trial Court may be dispensed with.

4.In view of the above, this Court directs the learned Judicial Magistrate No.II, Gobichettipalayam, Erode District, to expedite the trial in C.C.No.1 of 2018 and complete the same as expeditiously as possible. The appearance of the petitioner 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 petitioner 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 petitions are closed.

sk

16.07.2021

Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

M.DHANDAPANI,J.
sk

To

1. The Inspector of Police,
All Women Police Station,
Gobichettipalayam,
Erode District.

2. The Judicial Magistrate No.II, Gobichettipalayam,
Erode District.

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



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