



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.8187 of 2018

and

Crl.M.P.Nos.4213 & 4214 of 2018

Velappan

..Petitioner

Vs.

Senthilkumar

..Respondent

Prayer:Petition filed under Section 482 of Cr.P.C., to call for the records relating to C.C.No.377 of 2016 on the file of the Judicial Magistrate, Namakkal, pending on the file of Judicial Magistrate No.1, Namakkal and quash the same.

For Petitioner : Mr.S.Kalyanaraman

For Respondent : Mr.S.Senthil

O R D E R

The petitioner has filed this petition seeking to call for the records relating to C.C.No.377 of 2016 on the file of Judicial Magistrate No.1, Namakkal 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.

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



Judicial Magistrate No.1, Namakkal, to expedite the trial in C.C.No.377 of 2016 and complete the same as expeditiously as possible. 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, these criminal original petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

sk

To

1. The Judicial Magistrate No.1,
Namakkal
2. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1cc to M/s.S.Kalyanaraman, Advocate, S.R.No.34786

Cr1.O.P.No.8187 of 2018

PMK (CO)
RGA (11/08/2021)