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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.20387 of 2018

and

CrI.M.P.Nos. 10939 & 10940 of 2018

Krishnamurthy Subramanian
Srinivasan

..Petitioners

Vs.

The Registrar of Companies
Stock Exchange Building
Second Floor
683 Trichy Road
Coimbatore 641 005

..Respondent

Prayer: Petition filed under Section 482 of Cr.P.C., to call for the records comprised in the proceedings of judicial magistrate court III at Coimbatore in STC No 4273 of 2017 and quash the same.

For Petitioners : Mr.T.T.Ravichandran

For Respondent : Mr.Simon

O R D E R

The petitioner has filed this petition seeking to call for the records comprised in the proceedings of Judicial Magistrate Court III at Coimbatore in S.T.C No. 4273 of 2017 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 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.

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4. Accordingly, this petition is disposed of directing the trial court to dispose of C.C. No.4273/2017 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, his 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(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Registrar of Companies
Stock Exchange Building
Second Floor, 683 Trichy Road
Coimbatore 641 005

2. The Judicial Magistrate Court III at Coimbatore.

3. The Public Prosecutor,
High Court of Madras.

+1cc to M/s.Dr.D.Simon, Advocate, S.R.No.51949

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KSM(CO)
RGA(18/11/2021)