



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.5477 of 2018
and Cr1.M.P.Nos.2682 and 2683/2018

1.M/s.Kannan Textiles
rep.by its Proprietor
Mr.Selvakumar
100, Trichy Road,
Police Quarter Opp,
Palladam 641 661.

2.Mr.Selvakumar

... Petitioners /Accused

Vs.

M/s.Harshini Textiles Limited
rep.by its Senior Manager,
Power Agent Mr.K.Jayakumar

... Respondent/Complainant

Prayer:Petition filed under Section 482 of Cr.P.C., to call for the records relating in C.C.NO.69 of 2017 on the file of Judicial Magistrate No.II, Fast Track Court at Magistrate Level, Coimbatore and quash the same.

For Petitioners : Mr.A.T.Tamilarasan

For Respondent : Mr.C.Arunkumar

O R D E R

The petitioners have filed this petition seeking to call for the records in C.C.NO.69 of 2017 on the file of Judicial Magistrate No.II, Fast Track Court at Magistrate Level, Coimbatore 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.II, Fast Tract Court at Magistrate Level, Coimbatore, to expedite the trial in C.C.No.69 of 2017 and complete the same, within a period of six months from the date of receipt of a copy of this order. 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, this criminal original petition is disposed of. Consequently, connected miscellaneous petition, if any, is closed.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

sk

To

1. The Judicial Magistrate No.II,
Fast Tract Court at Magistrate Level,
Coimbatore.

+lcc to Mr.A.Tamilarasan, Advocate, S.R.No.32436

+lcc to Mr.C.Arunkumar, Advocate, S.R.No.32234

Cr1.O.P.No.5477 of 2018

SKY(CO)
CB(04/08/2021)