



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 01.07.2021
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.4375 of 2018
and Crl.M.P.Nos.2048 & 2152 of 2018

Jayakumar @ Kumar

... Petitioner/ Accused

Vs.

G.Ganesh

... Respondent/Complainant

Prayer:

Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.No.801 of 2017 on the file of XIII Metropolitan Magistrate, Fast Track Court-1, Allikulam, Chennai 3 and quash the same.

For Petitioner : Mr.S.Ganesh
For Respondent : Mr.A.P.Ramesh

O R D E R

The petitioner has filed this petition seeking to call for the records and to quash the proceedings in in C.C.No.801 of 2017 on the file of XIII Metropolitan Magistrate, Fast Track Court-1, Allikulam, Chennai 3.

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 XIII Metropolitan Magistrate, Fast Track Court-1, Allikulam, Chennai 3, to expedite the trial in C.C.No.801 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 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, these criminal original petitions are disposed of. Consequently, connected miscellaneous petitions, if any, are closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

sk
To,

The XIII Metropolitan Magistrate,
Fast Track Court-1, Allikulam, Chennai 3.

+1cc to Mr.S.Ganesh, Advocate SR.No. 30869

Cr1.O.P.No.4375 of 2018

PCH (CO)
A.SK(02.08.2021)