



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.Nos.8406, 8408, 8409 & 8420 of 2018
and

Crl.M.P.Nos.4358, 4359, 4360, 4361, 4362, 4363, 4377 & 4378 of
2018 and 3750, 3751, 3752 & 3753 of 2019

Mrs. Sarla Jayant Parekh,
Partner of M/s.Saral Agency,
F/702, Angel Landmark, Yashwant,
Viva Township, New Link Road,
Nallasopara-East, Palghar,
Maharashtra-401 208

.. Petitioner in all above petitions/Accused no.3

Vs.

M/s.Transmarine Services India Private Limited,
Represented by its Authorized
Representative Mr.Jose Varghese (Director),
New No.210, 3rd floor,
Thambu Chetty street,
Chennai-600 001. .. Respondent in all above petitions/Complainant

Common Prayer: Petition filed under Section 482 of Cr.P.C., to
call for the entire records pertaining to proceedings in
C.C.Nos.3883, 3882, 3880 & 3879 of 2017 pending on the file of
the IV Fast Track, Metropolitan Magistrate, George Town, Chennai
and quash the same against the petitioner.

For Petitioner in all petitions: M/S.Om Sai Ram

For Respondent in all petitions: M/S.Surana and Surana

ORDER

The petitioner has filed these petition seeking to call for
the entire records pertaining to proceedings in C.C.Nos.3883,
3882, 3880 & 3879 of 2017, pending on the file of the IV Fast
Track, Metropolitan Magistrate, George Town, Chennai and quash
the same against the petitioner.

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

4. Accordingly, these petitions are disposed of directing the trial court to dispose of C.C.Nos.3883, 3882, 3880 & 3879 of 2017 as expeditiously as possible as per seniority of the case. The petitioner 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 petitioner 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

//True Copy//

Sub Assistant Registrar

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To

The IV Fast Track, Metropolitan Magistrate,
George Town, Chennai.

+4CC to M/s.O.M.Sai Ram, Advocate, Sr.No.52122,52123,52124,52125
+4CC to M/s.Surana & Surana, Advocate, Sr.No.52178, 52177,
52176, 52175

CrI.O.P.Nos.8406, 8408, 8409
& 8420 of 2018

and

CrI.M.P.Nos.3750, 3751, 3752 & 3753 of 2019
and 4358, 4359, 4360, 4361, 4362, 4363,
4377 & 4378 of 2018

AD(CO)
SB(17/11/2021)