



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P.NO.8465 OF 2018

AND

CRL.M.P.NOS.4387 & 4388 OF 2018

Singaram

.. Petitioner/Accused 7

Vs.

1. The State rep. by
The Station House Officer
Harur Police Station
Darmapuri District
(Crime No. 272 of 2016)

.. Respondent/Complainant

2. M. Vijaya

.. Respondent/Defacto Complainant

Prayer:

Petition filed under Section 482 of Cr.P.C., to call for the charge sheet laid in C.C.No.30 of 2018 on the file of the learned Judicial Magistrate, Harur Salem and quash the same.

For Petitioner : Mr.S. Kumara Devan

For Respondents : Mr.C.E.Pratap
Public Prosecutor

O R D E R

The petitioner has filed this petition seeking to call for the charge sheet laid in C.C.No.30 of 2018 on the file of the learned Judicial Magistrate, Harur Salem 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 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, this petition is disposed of directing the trial court to dispose of C.C. No.30/2018 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 petitioner is necessary, the trial court, at its wisdom, shall direct his appearance on those days. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

rli

Sub Assistant Registrar

To

1. The State rep. by
The Station House Officer
Harur Police Station
Darmapuri District

2. The Public Prosecutor, High Court of Madras.

3. The Judicial Magistrate, Harur, Salem.

+1cc to Mr.S. Kumara Devan, Advocate, S.R.No.51831

CrI.O.P.No.8465 of 2018
and

CrI.M.P.Nos. 4387 & 4388 of 2018

SVI (CO)
PM/27/10/2021