



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.9522 of 2018

and

Cr.M.P.Nos.4894 & 4895 of 2018

Mathusoothanan

... Petitioner

Vs.

1. The State Rep. By the Inspector of Police,
All Women Police Station,
Nannilam,
Thiruvavarur District.

2. Priya

.. Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to call for the records pending on the file of the learned District Munsif cum Judicial Magistrate, Nannilam, Thiruvavaroor District in C.C.NO.91 of 2016 and quash the Criminal proceeding.

For Petitioner : Mr.E.Kannadasan

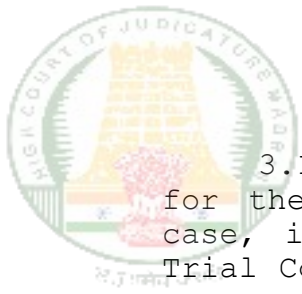
For Respondent No.1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

For Respondent No.2 : Mr.S.Sasikumar

O R D E R

The petitioner has filed this petition seeking to call for the records pending on the file of the learned District Munsif cum Judicial Magistrate, Nannilam, Thiruvavaroor District in C.C.NO.91 of 2016 and quash the same.

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 District Munsif cum Judicial Magistrate, Nannilam, Thiruvavoor District, to expedite the trial in C.C.No.91/2016 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, this criminal original petition is disposed of. Consequently, connected miscellaneous petitions, if any, are closed.

Sd/-

Assistant Registrar(CS-VIII)

//True copy//

Sub Assistant Registrar

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To

1. The District Munsif cum Judicial Magistrate,
Nannilam, Thiruvavoor District,
2. The Inspector of Police,
All Women Police Station,
Nannilam, Thiruvavoor District.
3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1cc to Mr.S.Sasikumar, Advocate SR.No.32627

Cr1.O.P.No.9522 of 2018

JPL(CO)

RLP(04/08/2021)