

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2021

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.No.7594 of 2018

and

Crl.M.P.No.3917 of 2018

Viswanathan

.. Petitioner

Vs.

State, Rep. by Inspector of Police,
Kothagiri Police Station,
The Nilgiris District.

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to quash the Final Report in C.C.No.24 of 2017 on the file of the Judicial Magistrate, Kothagiri.

For Petitioner : Mr.K.V.Sajeev Kumar

For Respondent : Mr.C.E.Pratap

Public Prosecutor

ORDER

The petitioner has filed this petition seeking to quash the Final Report in C.C.No.24 of 2017 on the file of the Judicial Magistrate, Kothagiri.

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 Judicial Magistrate, Kothagiri., to expedite the trial in C.C.No.24 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 petition is closed.

सत्यमेव जयते

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M.DHANDAPANI,J.

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To

1. The Inspector of Police,
Kothagiri Police Station,
The Nilgiris District.

2. The Public Prosecutor,
High Court, Madras.



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