

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.3699 of 2018
and Crl.M.P.No.1672 of 2018

1.R.Balasubramanian
2.N.Subramaniam
3.P.Vijayakumar

... Petitioners/Accused A1 to A3

Vs.

S.N.Palanisamy

... Respondent/Complainant

Prayer: Petition filed under Section 482 of Cr.P.C., to call for the records relating to C.C.No.208/2011 on the file of the Judicial Magistrate II, Udumalpet, Tiruppur District and quash the same.

For Petitioners : Mr.P.Manojkumar

For Respondent : Mr.D.R.Arunkumar

O R D E R

The petitioners have filed this petition seeking to call for the records and to quash the proceedings in C.C.No.208/2011, on the file of the Judicial Magistrate II, Udumalpet, Tiruppur District.

2. 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 petitioners 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 petitioners 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 petitioners before the Trial Court may be dispensed with.

4. In view of the above, this Court directs the learned Judicial Magistrate II, Udumalpet, Tiruppur District, to expedite the trial in C.C.No.208 of 2011 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 petitioners 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 petitioners 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-VI)

//True copy//

Sub Assistant Registrar

sk

To

The Judicial Magistrate - II,
Udumalpet,
Tiruppur.

+1cc to Mr.D.R.Arunkumar, Advocate SR.No.30605

+1cc to Mr.P.Manojkumar, Advocate SR.No.31038

Cr1.O.P.No.3699 of 2018

PL(CO)
RLP(29/07/2021)