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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.9764 of 2018

And

Crl.M.P.No.5013 of 2018

1.Sivan

2.Ramasamy

... Petitioners

Vs.

M/s.Reliance Capital Limited,
Rep. by its Legal Manager,
R.Kumaran, Reliance House,
4th Floor No.5, Haddows Road,
Nungambakkam, Chennai-600 006.

... Respondent

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records in C.C.No.4662 of 2016 on the file of F.T.C.No.III, Metropolitan Magistrate Level, Saidapet, Chennai, quash the complaint.

For Petitioners : M/s.R.Balakrishnan

O R D E R

This petition has been filed seeking to call for the records relating to the case in C.C.No.4662 of 2016 on the file of the learned F.T.C.No.III, Metropolitan Magistrate Level, Saidapet, Chennai and to quash the same.

2.The learned counsel appearing for the petitioners would submit that during the pendency of this petition, the second petitioner died and would further submit that though several grounds have been raised in this petition, 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 and also grant liberty to the first petitioner to raise all the grounds before the Trial Court. He would further submit that the appearance of the first petitioner before the Trial Court may be dispensed with and would further submit that the first petitioner is ready to appear as and when necessary arise.



3.The learned Government Advocate (Crl. Side) concede to the request made by the learned counsel appearing for the petitioners.

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4.In view of the above, this Court directs the learned F.T.C.No.III, Metropolitan Magistrate Level, Saidapet, Chennai, to expedite the trial in C.C.No.4662 of 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 first 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. Liberty is granted to the first petitioner to raise all the grounds before the Trial Court.

5.This criminal original petition stands disposed of with the above directions in respect of the first petitioner and stands abated in respect of the second petitioner. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The F.T.C.No.III,
Metropolitan Magistrate Level,
Saidapet, Chennai.

2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1cc to Mr.R.Bala krishnan, Advocate, S.R.No.40457

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And

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PCH(CO)
CB(17/09/2021)