

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.3510 of 2021
and
Crl.M.P Nos.2040 and 2041 of 2021

D.Balaji

...Petitioner

Vs.

C.Ravikumar

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records in S.T.C.No.102 of 2020 on the file of the learned Judicial Magistrate, Fast Track Court, Thiruchengode, Namakkal District and quash the proceedings therein as against the petitioner herein.

For Petitioner : Mr.A.Murugavel

ORDER

This petition has been filed seeking to quash the proceedings in S.T.C.No.102 of 2020, pending on the file of the learned Judicial Magistrate, Fast Track Court, Thiruchengode, Namakkal District

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 below 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. The learned counsel for the petitioner requested this Court to dispense with the presence of the petitioner.

Taking into consideration, the facts and circumstances of the case, the presence of the petitioner is dispensed with and he shall be represented by a counsel, who shall cross examine the witnesses on the same day, they are examined in Chief. The petitioner shall be present before the Court below at the time of questioning under Section 313 Cr.P.C and at the time of passing of the final judgement.

4. Accordingly, this Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in S.T.C.No.102 of 2020, pending on the file of the learned Judicial Magistrate, Fast Track Court, Thiruchengode, Namakkal District, within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (C.O.)

/True Copy/

Sub Assistant Registrar

To

The Judicial Magistrate,
Fast Track Court,
Thiruchengode,
Namakkal District.

+lcc to Mr.A.Murugavel, Advocate SR.NO..11842

AKM/15.03.21/2P- 3C/

CRL.O.P No.3510 of 2021
and

CrI.M.P Nos.2040 and 2041 of 2021
26.02.2021

WEB COPY