

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**Crl.O.P.No.8864 of 2018
and
Crl.M.P.Nos.4578 & 4579 of 2018**

1. N.Padmanaban
Managing Director,
M/s. RRP Housing Pvt. Ltd.,
2. P.Tamil .. Petitioners

Vs.

1. The State rep. by
The Inspector of Police,
District Crime Branch,
Thiruvallur,
Crime No.4 of 2016
2. Mr.O.P.Jambunathan .. Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to call for the entire records in C.C.No.147 of 2017 on the file of the learned Judicial Magistrate, Othukottai and quash the same.

For Petitioners : Mr.B.Manimaran

For Respondents : Mr.C.E.Pratap
Public Prosecutor

ORDER

The petitioners have filed this petition seeking to call for the entire records in C.C.No.147 of 2017 on the file of the learned Judicial Magistrate, Othukottai and quash the same.

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, Othukottai, to expedite the trial in C.C.No.147 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 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, these criminal original petitions are disposed of. Consequently, connected miscellaneous petitions are closed.

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

M.DHANDAPANI,J.

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To

1. The Inspector of Police,
District Crime Branch,
Thiruvallur,
2. The Judicial Magistrate, Othukottai.
3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



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