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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P.NO.888 OF 2018

AND

CRL.M.P.NO.296 OF 2018

1. P.D.Srinivasan
2. P.S.Pushpalatha

... Petitioners/
Accused 2 & 3

.Vs.

1. State by:
The Inspector of Police,
W8, All Women Police Station,
Thirumangalam,
Chennai - 40.
(Crime No.9 / 2011)

2. Dr.Poonkuzhali

... Respondents

PRAYER:-

Petition filed under Section 482 of Cr.P.C., seeking to call for records in C.C.No.1094 of 2015 on the file of learned X Metropolitan Magistrate, Egmore, Chennai and quash the same in so far as the petitioners are concerned.

For Petitioners : Mr.Sunder Mohan

For Respondents : Mr.C.E.Pratap for R1
Government Advocate (Crl. Side)

Mr.P.Thiagarajan for R2

O R D E R

This petition has been filed seeking to call for the records in C.C.No.1094 of 2015 on the file of the learned X Metropolitan Magistrate, Egmore, Chennai and to quash the same in so far as the petitioners are concerned.



2. The learned counsel appearing for the petitioners would submit that without going into the merits of the case, it would suffice, if this Court permits the petitioners to raise all the grounds including the grounds under Section 188 of Cr.P.C. before the Trial Court and 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 and would further submit that the petitioners are ready to appear as and when necessary arise.

3. In view of the above, this Court permits the petitioners to raise all the grounds including the grounds under Section 188 of Cr.P.C. before the learned X Metropolitan Magistrate, Egmore, Chennai during trial in C.C.No.1094 of 2015 and directs the learned X Metropolitan Magistrate, Egmore, Chennai, to expedite the trial in C.C.No.1094 of 2015 and complete the same as early as possible. 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 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.

4. With the above directions, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The X Metropolitan Magistrate,
Egmore,
Chennai.
2. The Inspector of Police,
W8, All Women Police Station,
Thirumangalam,
Chennai - 40.
(Crime No.9 / 2011)



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

+1cc to Mr.Sunder Mohan, Advocate, S.R.No.39240

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CRL.M.P.NO.296 OF 2018

GPL (CO)
PBS/15/09/2021