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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 28.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P.NO.8955 OF 2018

AND

CRL.M.P.NOS.4627 AND 4628 OF 2018

R.Hariharan

... Petitioner

- Vs -

The State represented by
The Senior Drugs Inspector
O/o.The Assistant Director of Drugs Control
Coimbatore zone,
No.219 Race Course Road
Coimbatore - 18.

... Respondent

PRAYER:-

Criminal Original Petition filed u/s 482 of the Code of Criminal Procedure, to call for the records in C.C.No.88/2014 on the file of the learned Judicial Magistrate No.I Coimbatore and quash the same as against the petitioner.

For Petitioner : Mr.R.Vivekananthan

For Respondent : Mr.C.E.Pratap
Government Advocate
(Crl. side)

ORDER

The present revision has been filed to call for the records in C.C. No.88/2014 on the file of the learned Judicial Magistrate No.I, Coimbatore, and quash the same.

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.

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3. The learned counsel for the petitioner requested this Court to dispense with the presence of the petitioners. Taking into consideration the request as made by the learned counsel for the petitioners, his appearance before the trial court is dispensed with except for his appearance for the purpose of receiving the copy of the proceedings u/s 207 Cr.P.C., framing of charges, questioning under Section 313 Cr.P.C. and on the day on which judgment is to be pronounced. However, if for any particular reason, the presence of the petitioner is necessary, the trial court, at its wisdom, shall direct their appearance on those days.

4. Accordingly, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

RR

To

1. The Judicial Magistrate No.I,
Coimbatore.
2. The Senior Drugs Inspector
O/o.The Assistant Director of Drugs Control,
Coimbatore zone,
No.219 Race Course Road
Coimbatore - 18.
3. The Public Prosecutor
High Court, Madras.

+1cc to Mr.R.Vivekananthan, Advocate, S.R.No.36505

CRL.O.P.NO.8955 OF 2018

PM(CO)
PBS/23/08/2021