

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P No.1203 of 2018
and
Crl.M.P No.426 of 2018

1.Lakshmanan
2.Poovathal
3.Sasikala
4.Kubendran

...Petitioners

Vs.

1. State rep. by the Inspector of Police,
All Women Police Station (Tiruppur North),
Tiruppur, (In Crime No.32/2017).

2. Mrs.Latha

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records pertaining to the F.I.R. in Crime No.32 of 2017 on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.J.Franklin
For Respondents : Mr.Shanmuga Rajeshwaran
R1 Government Advocate

सत्यमेव जयते

ORDER

This petition has been filed challenging the proceedings initiated by the respondent police against the petitioners for the offences under Sections 498 (A), 294(b) and 506(i) of IPC.

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 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 petitioners 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 petitioners 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 petitioners 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 FIR in Crime No.32 of 2017 on the file of the 1st respondent police, All Women Police Station (Tiruppur North), Tiruppur, within a period of six months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

msm
To

1. The Inspector of Police,
All Women Police Station (Tiruppur North),
Tiruppur.
(In Crime No.32/2017).
2. The Public Prosecutor,
High Court, Madras.

CRL.O.P No.1203 of 2018
and
Crl.M.P No.426 of 2018

vsn II(CO)
A.SK(07.07.2021)

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