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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P.NO.12617 OF 2018

AND

CRL.M.P.NOS.6781 AND 6782 OF 2018

E.Senthilkumar

... Petitioner/A1

Vs.

1. The Inspector of Police
All Women Police Station
Ambathur.

2. Ramya

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., to call for the records relating to the charge sheet in C.C.No.234 of 2013 on the file of the Judicial Magistrate, Ambattur, Chennai and quash the same in so far as relates to the petitioners concerned.

For Petitioner :Mr.S.Arivazhagan

For 1st Respondent :Mr.C.E.Pratap

Government Advocate (Crl.Side)

O R D E R

The petitioner has filed this petition seeking to call for the records relating to the charge sheet in CC No.234 of 2013 on the file of the Judicial Magistrate, Ambattur, Chennai and quash the same.

2. The learned counsel appearing for the petitioner fairly concede that the co-accused has already filed a quash petition before this Court in Crl.O.P.No.12617 of 2018 and the same was dismissed on 22.07.2021. However, a liberty may be granted to the petitioner to canvass all the points before the Trial Court. He would further submit that the appearance of the petitioner before the Trial Court may be dispensed with.

3. In view of the limited prayer sought for by the petitioner, this Court grants liberty to the petitioner 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.

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4. Accordingly, this petition is disposed of directing the trial court to dispose of CC No.234 of 2013 as expeditiously as possible as per seniority of the case. The petitioner and the 2nd respondent is directed to co-operate with the trial court for the early completion of trial. Further, taking into consideration the request as made by the learned counsel for the petitioner, his appearance before the trial court is dispensed with except for their 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. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police
All Women Police Station, Ambathur.
2. The Judicial Magistrate, Ambattur,
Chennai.
3. The Public Prosecutor,
High Court of Madras, Chennai 600 104.

+1cc to Mr.S.Arivazhagan, Advocate, S.R.No.44460

Cr1.O.P.No.12617 of 2018
and

Cr1.M.P.Nos.6781 and 6782 of 2018

GSM(CO)
PM/17/11/2021