

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 19.03.2021
CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.4940 of 2021
and
Crl.MP.No.3148 of 2021

1.Obul Reddy
2.R.Ramachandra Reddy

... Petitioners

Vs.

1.The State
Rep.by Inspector of Police,
Ambattur Estate Police Station,
Ambattur.

(Crime No.355/2017)

2.Mr.Karthik

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records of the proceedings and charge sheet in C.C.No.260 of 2017, on the file of the Judicial Magistrate, Ambattur and quash the same.

For Petitioner : Ms.Usharamman

For Respondent : Mr.M.Mohammed Riyaz
Additional Public Prosecutor
for R 1

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.260 of 2017, on the file of the Judicial Magistrate, Ambattur.

2.The learned Additional Public Prosecutor on instructions submitted that already PW-1 to PW-4 have been examined in this case and the case is now posted for the examination of PW-5.

3.Taking into consideration the fact that the trial has already commenced, this Court is not inclined to interfere with the proceedings of the year 2017. 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.

4.However taking into consideration the age of the petitioners, their presence is dispensed with and they 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.

5.Accordingly, this Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.260 of 2017, within a period of three months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS III)

/TRUE COPY/

Sub-Assistant Registrar

KP

To

1.The Judicial Magistrate,
Ambattur.

2.The Inspector of Police,
Ambattur Estate Police Station,
Ambattur.

3.The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to M/s.USHARAMAN, ADVOCATE, SR.NO. 18748

Cr1.O.P.No.4940 of 2021

GSM(CO)
KKN 23.04.2021