

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.03.2021
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl. OP No.6073 of 2021
and Crl. MP Nos.3962 & 3963 of 2021

1. M/s. Turnbolls Entertainment LLP,
Rep by its K.Saravanan
IInd Floor, No.161 Rangarajapuram Main Road,
Kodambakkam, Chennai 24.
2. K. Saravanan
Partner: Turnbolls Entertainment LLP
...Petitioners/Accused 1 & 2

vs.

M/s. Shanthini Enterprises,
by its Sole Proprietrix, Mrs.R.Latha,
No.7/14, Swamy Nagar, 2nd Cross St.,
Madhavaram, Chennai 600 060.
Rep. herein by her Power Agent,
Mr.R.RameshKumar. ...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in STC No.393 of 2020 pending on the file of the learned Judicial Magistrate, Madhavaram, Tiruvallur District and quash the same.

For Petitioner : Mr. G.Prasanna

ORDER

This petition has been filed seeking to quash the proceedings in STC.No.393 of 2020 pending on the file of learned Judicial Magistrate, Madhavaram, Tiruvallur District.

2. The grounds that have been raised by the learned counsel for the petitioners is purely factual in nature and this Court cannot go into the same in exercise of its jurisdiction under Section 482 of Cr.P.C. It is left open to the petitioner to raise these grounds before the Court below and the Court below shall consider the same on its own merits and in accordance with law.

3. The learned counsel for the petitioners requested this Court to dispense with the presence of the petitioners. The presence of the petitioners are 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 judgment.

4. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings, within a period of three months from the date of receipt of a copy of this order. The trial shall be conducted on a day to day basis in accordance with the guidelines given by Hon'ble Supreme Court reported in Vinod Kumar Vs State of Punjab [2015 (1) MLJ (Cr1) 288 SC]. If the petitioners adopts any dilatory tactics, it is open to the trial Court to insist upon the presence of the petitioners and remand them to custody as per the judgment of the Hon'ble Supreme Court in STATE OF UTTAR PRADESH VS. SHAMBHU NATH SINGH (JT 2001 (4) SC 3191). Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jv
To

1. The Judicial Magistrate,
Madhavaram,
Tiruvallur District.
2. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

Cr1. OP No.6073 of 2021
and Cr1. MP Nos.3962 & 3963 of 2021

PL(CO)
NS(07/05/2021)

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