

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.6310 of 2021
and
Crl.M.P Nos.4181 & 4182 of 2021

Ganpathy

...Petitioner

Vs.

1. The State Rep. by the
Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.

2. D.Prabakaran

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pending on the file of the Learned Judicial Magistrate No.I, Krishnagiri, Krishnagiri District in S.T.C.No.641/2016 and quash the Criminal Proceeding.

For Petitioner : E.Kannadasan

For Respondents : Mr.Mohammed Riyaz
Additional Public Prosecutor
for 1st respondent

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Section 379 IPC.

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.

3. Accordingly, this Criminal Original Petition is dismissed with a direction to the Court below to complete the proceedings in S.T.C.No.641 of 2016 on the file of learned Judicial Magistrate No.I, Krishnagiri, Krishnagiri District, within a period of two months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssr

To

1.The Judicial Magistrate No.I,
Krishnagiri, Krishnagiri District.

2.The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.E.Kannadasan, Advocate, S.R.No.21683

CRL.O.P No.6310 of 2021
and

Cr1.M.P Nos.4181 & 4182 of 2021

BP(CO)
CB(25/06/2021)

सत्यमेव जयते

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