IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.10.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.22723 of 2018
and
Crl.M.P.Nos.12626 and 12627 of 2018

Vasanthi .. Petitioner/Accused

Vs.

The Branch Head,
IDBI Bank,
Neelamangalam Branch,
Kallakurichi Taluk,
Villupuram District.
.. Respondent/Complainant

Prayer: Petition filed under Section 482 of Cr.P.C., to call for the record in C.C.No.62 of 2018 on the file of Learned Judicial Magistrate, Kallakurchi and quash the same.

For Petitioner : Mr.A.Rajakumar

For Respondent : Mr.S.Parthasarathy,
P.Sheela

O R D E R

The petitioner has filed this petition seeking to call for the record in C.C.No.62 of 2018 on the file of Learned Judicial Magistrate, Kallakurchi and quash the same.

2. Though several grounds have been raised by the learned counsel for the petitioner, however, this Court is of the opinion the issue is a triable issue and 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 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. It is represented by the learned counsel appearing for the petitioner that this Court may issue a direction to the Trial Court to expedite the trial and complete the same as early as possible. He would further submit that the appearance of the petitioner before the Trial Court may be dispensed with.

4.Accordingly, this petition is disposed of directing the trial court to dispose of C.C.No.62 of 2018 as expeditiously as possible as per seniority of the case. The petitioner and respondent are 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-V)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate,
   Kallakurchi.

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NR(CO)
SU(17/11/2021)