

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.382 of 2017
and Crl.M.P Nos.267 & 268 of 2017

1.Gurusamy

2.Guruvammal

3.Palraj @ Bala

4.Muthulakshmi

5.Sangaishwari @ Raji

6.PandiPetitioner/Accused 3 to 8

Vs.

1. State rep by
The Inspector of Police
All Women Police Station,
Mayiladudurai,
Nagapattinam District.
(Crime No.06 of 2015)1st Respondent/Complainant

2. Vanitha2nd Respondents/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records pertaining to the impugned proceedings in C.C.No.146 of 2016 on the file of the Judicial Magistrate Court No.I, Mayiladudurai, Nagapattinam pending disposal of the Criminal Original Petition and to quash the same.

For Petitioners: V.Illanchezian

For Respondents: Mr.C.Raghavan
Government Advocate
for R1

Mr.M.R.Kuyilan for R2

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioners under Section 498(A) and 506(i) IPC.

2.The learned Government Advocate appearing on behalf of the respondent police submitted that the trial has already commenced and PW1 to PW3 have already been examined.

3. The grounds raised by the counsel for the petitioners 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 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.

3. Accordingly, this Criminal Original Petition is dismissed with a direction to the Court below to complete the proceedings in C.C.No.146 of 2016 on the file of the Judicial Magistrate Court No.I, Mayiladudurai, Nagapattinam, within a period of three months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Judicial Magistrate Court No.I,
Mayiladudurai, Nagapattinam.

2.-do-Chief Judicial Magistrate,
Nagapattinam.

3. The Inspector of Police
All Women Police Station,
Mayiladudurai, Nagapattinam District.

4.The Public Prosecutor,
High Court, Madras.

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SSI (CO)
CB(22/02/2021)