



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.27133 of 2017
and Crl.M.P.No.15560 & 15561 of 2017

R.Karthik

...Petitioner/Accused - 1

Vs.

1. State represented by
Inspector of Police,
W-26, All Woman Police Station,
Ashoka Nagar, Chennai -83.

2. Srividya

...Respondents

2nd respondent is impleaded as per the
order of this Hon'ble Court dated
27.02.2019 made in Crl.M.P.15825/2017
in Crl.O.P.No.27133 of 2017.

Prayer: Criminal Original Petition filed under Section 482 of
Cr.P.C., to call for the records in C.C.No.7847 of 2017 on the
file of the learned XVII Metropolitan Magistrate, Court,
Saidapet, Chennai and quash the same.

For Petitioner .. Mr.V.Vijayakumar

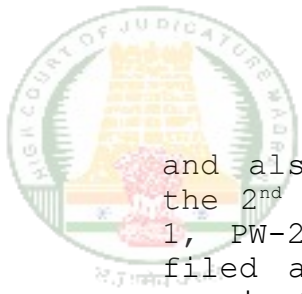
For R1 .. Mr.E.Raj Thilak
Govt. Advocate (Criminal Side)

For R2 .. Mr.Poongkhulali

ORDER

I have given patient hearing to Mr.V.Vijayakumar, learned
counsel for the petitioner herein. The learned counsel pointed
out various aspects which according to him should be considered
and interference should be done in further progress of
C.C.No.7847 of 2017 now pending before the XVII Metropolitan
Magistrate Court, Saidapet, Chennai.

2.But, I would, refrain myself from entering into any
further discussion particularly because as pointed out by
Mr.E.Raj Thilak, learned Government Advocate (Criminal Side)



and also by Ms.Poongkhulali, learned counsel who appeared for the 2nd respondent that, the trial has actually commenced and PW-1, PW-2 have examined in chief and the petitioner herein has filed an application to recall the said witnesses for cross-examination. Since the matter is actively under consideration of the competent judicial authority, it is extremely inappropriate on my part to venture into the merits raised before this Court. I would leave it to the wisdom and privilege of the learned Magistrate to decide on the said issues on the basis of the evidence recorded and on the basis of the submissions made by the learned counsel on conclusion of trial. Let me not give further opinion on the said issue.

3.With the above observations, this Criminal Original Petition is dismissed by relegating the parties back to the XVII Metropolitan Magistrate Court, Saidapet, Chennai, to continue the trial in C.C.No.7847 of 2017. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

smv

To

1. The XVII Metropolitan Magistrate Court,
Saidapet,
Chennai.
2. The Inspector of Police,
W-26-All Woman Police Station,
Ashoka Nagar,
Chennai - 83.

Crl.O.P.No.27133 of 2017

PMK[co]
NSK 17/09/2021