



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

Crl.O.P. No.8349 of 2022
and Crl.M.P. Nos.4871 & 4873 of 2022

1. A.Chidambaram
2. Devayanai
3. Muthuraman
4. Rajagopalan
5. Shantha

... Petitioners

Versus

1. State represented by
The Inspector of Police,
J-5, Shastri Nagar Police Station,
Chennai.
(Crime No.1966/2015)

2. A.Vivekanandan

... Respondents

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C. No.1114 of 2016 pending on the file of the learned IX Metropolitan Magistrate, Saidapet, Chennai and quash the same in so far as petitioner's concerned.

For Petitioners : Mr. R.Sagadevan

For respondent 1 : Mr. A.Gokulakrishnan
Additional Public Prosecutor
2 : Mr. P.Venkataraman

ORDER

This Criminal Original Petition is filed to quash the records in C.C. No.1114 of 2016 pending on the file of the learned IX Metropolitan Magistrate, Saidapet, Chennai.

2. Heard both sides and perused the entire materials available on record.

3.The petitioners are charged for offence under Sections 416, 420 & 506(i) IPC. The factual disputes that are raised in this matter requires appreciation of evidence and the same have



to be gone into during trial. This Court, in exercise of its jurisdiction under Section 482 Cr.P.C., cannot conduct such a roving enquiry. It is open to the parties to raise all the grounds before the trial Court, during the process of trial. However, this Court is not inclined to interfere with the proceedings in C.C. No.1114 of 2016 at this stage.

4. At this stage, the learned counsel appearing for the petitioners seeks indulgence of this Court to dispense with the personal appearance of the petitioners. Accordingly, the personal appearance of the petitioners/accused before the trial Court is dispensed with, except for receipt of copies, answering the charges, questioning under Section 313 Cr.P.C., passing of judgment, or on any other date as may be required by the trial Court.

5. In view of the above, this Criminal Original Petition stands dismissed, the connected miscellaneous petition in Crl. M.P. No.4873 of 2022 is ordered to the extent indicated above and Crl. M.P. No.4871 of 2022 stands closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

bkn

To:

1. The IX Metropolitan Magistrate, Saidapet, Chennai
2. -do through The Chief Metropolitan Magistrate, Egmore, Chennai
3. The Inspector of Police,
J-5, Shastri Nagar Police Station,
Chennai.
4. The Public Prosecutor, High Court of Madras.

+lcc to Mr. R.Sagadevan, Advocate, S.R.No.38189
+lcc to Mr. P.Venkataraman, Advocate, S.R.No.37386

Crl.O.P.No.8349 of 2022

KV(CO)
CT/06/07/2022