



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.10232 of 2022
and Crl.M.P. Nos.6061 & 6062 of 2022

M.Palanisamy Gounder

... Petitioner/1st Accused

Versus

1. The Inspector of Police,
Police, District Crime Branch,
Tiruppur.
(Crime No.27/2011)

2. V.S.Somasundaram

... Respondents/Complainant/defacto Complainant

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the entire records pertaining to the C.C. No.4 of 2013 on the file of the Special Court for Exclusive Trial of Land Grabbing Cases, Tiruppur and quash the same.

For Petitioners : Mr. B.Gopalakrishnan

For respondent 1 : Mr. A.Gokulakrishnan
Additional Public Prosecutor

2 : No appearance

ORDER

This Criminal Original Petition is filed to quash the records pertaining to C.C. No.4 of 2013 on the file of the Special Court for Exclusive Trial of Land Grabbing Cases, Tiruppur.

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

3.The petitioner is charged for offence under Sections 120 (B), 406, 406 r/w. 34 IPC, 467, 468, 471, 420, 294(b) & 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.4 of 2013 at this stage.

4. At this stage, the learned counsel appearing for the petitioner seeks indulgence of this Court to dispense with the personal appearance of the petitioner. Accordingly, the personal appearance of the petitioner/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.6062 of 2022 is ordered to the extent indicated above and Crl. M.P. No.6061 of 2022 stands closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

bkn

To:

1. The Special Court for Exclusive Trial of Land Grabbing Cases, Tiruppur.
2. The Inspector of Police,
Police, District Crime Branch,
Tiruppur.
3. The Public Prosecutor, High Court of Madras.

+1cc to Mr.B.Kumarasamy, Advocate, S.R.No.32345

Crl.O.P.No.10232 of 2022

SKM(CO)
CT/06/07/2022