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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19559 of 2023
and Crl.MP.No.13216 of 2023

Mr.Jawahar K.P. (41 Y)
S/o.Palanisamy K.R.

.. Petitioner/Accused

vs.

1.The State
Rep.by the Inspector of Police
Traffic Investigation Wing (East)
Coimbatore.

.. Respondent/Police

2.Mr.Rajendran
S/o.Selvaraj

..2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the C.C.No.226 of 2018, on the file of the Judicial Magistrate No.VIII, Coimbatore and quash the proceedings initiated under final report dated 11.7.2023 FR 337/2018.

For Petitioner : M/s.A.Parthasarathy and Associates

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)
for R1

ORDER

This petition has been filed challenging the proceedings initiated by the 1st respondent against the petitioner under Section 279 and 304 A of IPC and Section 185 of the Motor Vehicles Act, 1988.



2. 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 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.226 of 2018, on the file of Judicial Magistrate No.VIII, Coimbatore, within a period of six months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

01.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
kp



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To

1. The Inspector of Police
Traffic Investigation Wing (East)
Coimbatore.
2. Judicial Magistrate No.VIII,
Coimbatore.
- 3.The Public Prosecutor,
High Court, Madras.



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N. ANAND VENKATESH,, J.

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