



Crl.O.P.No.18434 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.18434 of 2023

and

Crl.M.P.No.12264 of 2023

K.Thirunavukkarasu
S/o.Kathirvel

... Petitioner

Vs.

1.The State represented by
The Inspector of Police,
Gingee Police Station,
Villupuram District.
Crime No.202 of 2021

2.Sanmugam

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records in C.C.No.436 of 2018 on the file of
Judicial Magistrate, Gingee, Villupuram District and quash the same.

For Petitioner : Mr.K.Murugesan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]



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ORDER

WEB COPY This petition has been filed seeking to quash the proceedings in C.C.No.436 of 2018 pending on the file of Judicial Magistrate, Gingee, Villupuram District.

2. The grounds raised by learned counsel for 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 disposed of with a direction to the Court below to complete the proceedings in C.C.No.436 of 2018 within a period of three (3) months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

The trial shall be conducted on a day-to-day basis in accordance



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with the guidelines given by Hon'ble Supreme Court reported in ***Vinod Kumar Vs State of Punjab [2015 (1) MLJ (Crl) 288 SC]***. If the petitioner adopts any dilatory tactics, it is open to the trial Court to insist upon the presence of the petitioner and remand him to custody as per the judgment of the Hon'ble Supreme Court in ***State of Uttar Pradesh v. Shambhu Nath Singh (JT 2001 (4) SC 3191)***.

18.08.2023

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

gm

To

- 1.The Judicial Magistrate,
Gingee, Villupuram District.
- 2.The Inspector of Police,
Gingee Police Station,
Villupuram District.
Crime No.202 of 2021
- 3.The Public Prosecutor,
Madras High Court.

N.ANAND VENKATESH, J



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