



Criminal Original Petition No.18860 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.18860 of 2023

and

Crl.M.P.Nos.12628 & 12629 of 2023

N.Azhagappan
S/o.Nithyanandam

...Petitioner

Vs

1.State represented by
Inspector of Police,
All Women Police Station,
Tiruvannamalai District.

2.A.Revathi
D/o.Viswanathan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the records in C.C.No.11 of 2021 pending on the file of Additional Mahila Court, Magisterial Level at Tiruvannamalai and to quash the same.

For Petitioner : Mr.N.Sudharsan

For Respondents : Mr.A.Gopinath
Government Advocate [Crl.side] [R1]



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ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.11 of 2021 pending on the file of Additional Mahila Court, Magisterial Level at Tiruvannamalai.

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.11 of 2021 within a period of three (3) months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.



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

23.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

To

- 1.The Additional Mahila Court,
Magisterial Level at Tiruvannamalai.
- 2.The Inspector of Police,
All Women Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

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