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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.18155 of 2023
and Crl.MP.12039 & 12040 of 2023

Sunil Gopi (M/56/2023)
S/o.Gopinathan

.. Petitioner /Accused

.Vs.

1.The State
Represented by
The Inspector of Police
District Crime Branch
Coimbatore District.

.. 1st Respondent/Complainant

2.Mr.Giridharan
S/o.Rathinam

..2nd Respondent/ De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the C.C.No.87 of 2022, pending before the Judicial Magistrate Court, Madukkarai, Coimbatore and quash the same.

For Petitioner : Mr. E.K.Kumaresan

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

Mr.A.Parthasarathi for R2



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ORDER

This criminal original petition has been filed to quash the proceedings in C.C.No.87 of 2022, pending on the file of Judicial Magistrate Court, Madukkarai, Coimbatore.

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.87 of 2022, pending on the file of Judicial Magistrate Court, Madukkarai, Coimbatore, within a period of six months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed.

17.08.2023

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



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To

- 1.The Inspector of Police
District Crime Branch
Coimbatore District.
2. Judicial Magistrate Court,
Madukkarai, Coimbatore.
- 3.The Public Prosecutor
High Court, Madras.



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N. ANAND VENKATESH,. J.

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