



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.19070 of 2023
Crl.M.P.Nos.12761 & 12763 of 2023

S.Pushpalatha

... Petitioner

Vs.

1.State Rep. by its
The Inspector of Police,
W-9, AWPS Villivakkam,
(W-33, AWPS, Madavaram)
Chennai – 600 049.
(Crime No.29 of 2021)

2.Meenakshi

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the proceedings in Spl.S.C.No.139 of 2022, pending on the file of the learned Mahila Court, Thiruvallur and quash the same.



For Petitioner : Mr.C.Iyapparaj for
Mr.K.Siva

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor
for R1

ORDER

This petition has been filed to quash the proceedings in Spl.S.C.No.139 of 2022 pending on the file of the learned Mahila Court, Thiruvallur.

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 Spl.S.C.No.139 of 2022 on the



file of learned Mahila Court, Thiruvallur, within a period of three months from the date of receipt of a copy of this order. 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 (CrI) 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 VS. SHAMBHU NATH SINGH (JT 2001 (4) SC 3191)***. Consequently, connected miscellaneous petitions are closed.

25.08.2023

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

To

- 1.The Mahila Court, Thiruvallur.
- 2.The Inspector of Police,
W-9, AWPS Villivakkam,
(W-33, AWPS, Madavaram)
Chennai – 600 049.



WEB COPY



N.ANAND VENKATESH, J

SSI

3.The Public Prosecutor,
High Court, Madras.

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