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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.20714 of 2023
and Crl.M.P.Nos.14145 & 14146 of 2023

Mr.S.Sekar

... Petitioner

Vs.

1.State,
The Inspector of Police,
Central Crime Branch, Team – 25,
Anti-Land Grabbing Special Cell,
Vepery, Chennai – 600 007.

2.Mr.A.Jeyaseelan

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the proceedings in C.C.No.161 of 2022 on the file of Judicial Magistrate-I, Alandur as against the petitioner herein for the offences under Sections 419, 465, 467, 468, 471 r/w 120B & 34 of IPC.

For Petitioner : Mr.D.Saikumarran

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



ORDER

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This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Sections 419, 465, 467, 468, 471 r/w 120B & 34 of IPC

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.161 of 2022 on the file of Judicial Magistrate-I, Alandur, within a period of six 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 (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 VS. SHAMBHU NATH SINGH (JT 2001 (4) SC 3191)***.

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Consequently, connected miscellaneous petitions are closed.

20.09.2023

Index : Yes/No

Internet : Yes/No

Speaking/Non-Speaking Order

Neutral Citation : Yes/No

ssr

To

1.The Judicial Magistrate-I, Alandur.

2.The Inspector of Police,
Central Crime Branch, Team – 25,
Anti-Land Grabbing Special Cell,
Vepery, Chennai – 600 007.

3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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