



CrI.O.P.No.21671 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.9.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.21671 of 2023
& CrI.M.P.Nos.14989 & 14991 of 2023

1.Pichandi
2.Rakesh Kumar
3.Sethuraman
4.Shankar (a) Jim Shankar
5.Jaising
6.Pichai

...Petitioners

Vs.

1.State rep.by
Inspector of Police,
Arcot Town Police Station,
Ranipet District.

2.Ganesan, DCE, Corporation
Engineer & Commissioner (I/C),
Arcot Municipality,
Ranipet District.

...Respondents

Criminal Original Petition under Section 482 of Criminal Procedure Code praying to call for the records in C.C.No.112 of 2023 on the file of the District Munsif-cum-Judicial Magistrate, Arcot and quash the charge sheet pending against the petitioners.



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For Petitioners : Mr.D.Thirumoorthy
For Respondent-1 : Mr.A.Gopinath, GA (CrI.Side)

ORDER

This is a petition filed by the petitioners seeking to quash the proceedings in C.C.No.112 of 2023 pending on the file of the District Munsif-cum-Judicial Magistrate, Arcot for the offences under Sections 419, 420, 465, 468 and 406 of the Indian Penal Code.

2. The grounds raised by the learned counsel for the petitioners are all factual in nature and they require appreciation of evidence. This Court cannot decide the same in exercise of its jurisdiction under Section 482 of Criminal Procedure Code. It is left open to the petitioners 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. 112 of 2023 on the file of the District Munsif-cum-Judicial Magistrate,



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Arcot 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 the Hon'ble Supreme Court in the case of ***Vinod Kumar Vs. State of Punjab [reported in 2015 (1) MLJ (Crl.) 288 (SC)]***. If the petitioners adopt any dilatory tactics, it is open to the Court below to insist upon the presence of the petitioners and remand them to custody as per the judgment of the Hon'ble Supreme Court in the case of ***State of Uttar Pradesh Vs. Shambhu Nath Singh [reported in JT 2001 (4) SC 3191]***. Consequently, the connected Crl.M.Ps. are closed.

27.9.2023

To

- 1.The District Munsif-cum-Judicial Magistrate,
Arcot.
- 2.The Inspector of Police, Arcot Town
Police Station, Ranipet District.
- 3.The Public Prosecutor, High Court, Madras

RS



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N.ANAND VENKATESH,J

RS

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