



Crl.O.P.Nos.31296 & 31297 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

**Crl.O.P Nos.31296 & 31297 of 2019**

- 1.M.Jagan @ Jaganathan @ Venkatesan
- 2.M.G.Sekar
- 3.V.Sampath
- 4.A.John
- 5.K.Rajendran
- 6.C.Durai
- 7.P.Murugaiyan
- 8.M.Periyakaruna
- 9.A.Murugesan
- 10.E.Elumalai
- 11.E.Rajendran
- 12.M.Ganesan
- 13.D.Gopi
- 14.M.Pandurangan
- 15.P.Sasi @ Sukkiri
- 16.M.Deva
- 17.S.Ramu
- 18.D.Sekar



Crl.O.P.Nos.31296 & 31297 of 2019

19.S.Kannan

20.C.Selvam

...Petitioners in both OPs

vs.

1.The State rep by its  
Inspector of Police,  
Vellavedu Police Station,  
Tiruvallur District.

...1<sup>st</sup> respondent in both OPs

2.Narayanan

...2<sup>nd</sup> espondents in Crl.O.P.No.31296 of 2019

2.B.Anbumani

...2<sup>nd</sup> respondents in Crl.O.P.No.31297 of 2019

### **COMMON PRAYER:**

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the charge sheet in PRC.Nos.36 & 35/2008 respectively pending on the file of the learned Judicial Magistrate No.II, Poonamallee.

For Petitioners  
in both OPs : Mr.K.Sasindran

For Respondents  
in both OPs : Mr.E.Raj Thilak,  
Additional Public Prosecutor, for R1



Crl.O.P.Nos.31296 & 31297 of 2019

**COMMON ORDER**

WEB COPY

These Criminal Original Petitions have been filed challenging the proceedings initiated by the respondent against the petitioners in PRC.Nos.36 & 35/2008 respectively pending on the file of the learned Judicial Magistrate No.II, Poonamallee.

2. The grounds raised by the counsel for the petitioners 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, these Criminal Original Petitions are disposed of with a direction to the Court below to commit the case before the concerned Sessions Court within a period of eight weeks from the date of receipt of copy of this order. The Sessions Court is directed to complete the proceedings within a period of four months thereafter. The trial shall be conducted on a day to day



Crl.O.P.Nos.31296 & 31297 of 2019

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).*

10.08.2023

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order  
nsa

To

1. Inspector of Police,  
Vellavedu Police Station,  
Tiruvallur District.

2. The Public Prosecutor,  
High Court, Madras.



WEB COPY



Crl.O.P.Nos.31296 & 31297 of 2019

**N. ANAND VENKATESH, J.**

nsa

**Crl.O.P.Nos.31296 & 31297 of 2019**

**10.08.2023**