



Crl OP No.5070 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.5070 of 2024

K.Sarjith

...Petitioner/Accused

Vs.

The State
Represented by
Inspector of Police,
Sendurai Police Station,
Ariyalur District.

...Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pending on the file of the learned District Munsif cum Judicial Magistrate, Sendurai Ariyalur District in S.T.C.No.927 of 2021 and quash the same.

For Petitioner : Mr.K.Seetharam

Respondent :Mr.A.Damodaran
Additional Public Prosecutor

ORDER



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WEB COPY This petition has been filed seeking to quash the proceedings pending in STC No.927 of 2021 on the file of the learned District Munsif cum Judicial Magistrate, Sendurai Aariyalur District.

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. The facts of this case and grounds raised the quash petition does not fall within the parameters laid down by the Apex Court in Bhajan Lal case reported in (1992) Suppl (1) SCC 335. It is left open to the petitioner to raise all the grounds before the Court 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. It is brought to the notice of this court that already the trial has commenced and the case is now at the stage of serving summons for the appearance of LW7 to give evidence and the case is posted on 26.03.2024. This is yet another reason as to why this court is not inclined



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to entertain this quash petition.

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4. Accordingly, this Criminal Original Petition is dismissed and the Court below is directed to complete the proceedings in S.T.C.No.927 of 2021, within a period of three months from the date of receipt of copy of this order.

04.03.2024

Speaking Order/Non-Speaking Order

Index: Yes/No

Internet: Yes/No

mrn

To

1. The District Munsif cum Judicial Magistrate,
Sendurai. Aariyalur District.
2. The Inspector of Police,
Sendurai Police Station,
Ariyalur District
2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH.J.

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