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CrI.O.P.No.5367 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.5367 of 2024

And

CrI.M.P.Nos.3920 and 3921 of 2024

Sagaya Densy

... Petitioner

Vs.

1.The State rep by,
The Inspector of Police,
S-7, Madipakkam Police Station,
Chennai – 600 091.
Ref: (Crime No.55 of 2022)

2.Tamilarasan

... Respondent

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records in S.C.No.156 of 2022 on the file of the learned Principal Sessions Judge at Chengalpattu and quash the same as against the petitioner herein.

For Petitioner : M/s.E.Ezhil Caroline
For Respondents : A.Gopinath for R1
Government Advocate (CrI. Side)



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ORDER

This criminal original petition has been filed seeking to quash the proceedings in S.C.No.156 of 2022 on the file of the learned Principal Sessions Judge at Chengalpattu as against the petitioner.

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 S.C.No.156 of 2022, 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 (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



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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, the connected miscellaneous petitions are closed.

07.03.2024

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Principal Sessions Judge at Chengalpattu.
- 2.The Inspector of Police,
S-7, Madipakkam Police Station,
Chennai – 600 091.
Ref: (Crime No.55 of 2022)
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



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