



Crl.O.P.(MD).No.19447 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.01.2025**

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.19447 of 2022

and

Crl.M.P.(MD). Nos.13229 and 13230 of 2022

M.Vigneswara Pandian ... Petitioner / Sole Accused
Vs.

M.Arumugam ...Respondent /
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the proceedings in C.C.No.6 of 2022 on the file of the learned Fast Track Court at Magisterial Level, Palani and quash the same.

For Petitioner : Mr.T.Lenin Kumar

For Respondent : NA

ORDER

This petition has been filed to quash the proceedings pending in C.C.No.6 of 2022 on the file of the learned Fast Track Court at Magisterial Level, Palani.



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2. The learned counsel for the petitioner submitted that the trial has already commenced in this case. In view of the same, this Court is not inclined to interfere with the proceedings at this stage. It is left open to the petitioner to raise all the grounds before the Trial Court and the same will be considered on its own and in accordance with law.

3. The learned counsel for the petitioner requested this Court to dispense with the presence of the petitioner. Taking into consideration, the facts and circumstances of the case, the presence of the petitioner is dispensed with and he shall be represented by a counsel, who shall cross examine the witnesses on the same day, they are examined in Chief. The petitioner shall be present before the Court below at the time of questioning under Section 313 Cr.P.C and at the time of passing of the final judgement.

4. This criminal original petition is disposed of with a direction to the learned Judicial Magistrate (FTC), Palani to dispose of C.C.No.6 of 2022 within a period of 4 months from the date of receipt of a copy of this order. The trial shall be conducted on a day to day basis in



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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)***. Consequently, the connected miscellaneous petitions are also closed.

24.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

The Judicial Magistrate (FTC),
Palani .



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N.ANAND VENKATESH,J.

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Order made in
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