

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.4263 of 2014

and

M.P.Nos.1 and 2 of 2014

and

M.P.No.1 of 2015

L.Ramesh

... Petitioner

Vs

1.D.I.Nathan @ D.Irudia Nathan

2.Vinitha

3.Geetha Devi

4.Vinoth

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in C.C.No.16581 of 2007 pending before the VII Metropolitan Magistrate Court, George Town, Chennai and quash the same against the fourth accused, the petitioner herein.

For Petitioner : M/s.Bright Sun Law Associates.

For Respondents : Mr.K.Shanmugakani, for R.1

ORDER

The present criminal original petition has been filed to call for the records in C.C.No.16581 of 2007 pending before the VII Metropolitan Magistrate Court, George Town, Chennai and quash the same as against the fourth accused, the petitioner herein.

2. The petitioner has been arrayed as A.4 in C.C.No.16581 of 2007 on the file of the VII Metropolitan Magistrate Court, George Town, Chennai. The first respondent is the de facto complainant and the respondents 2 to 4 are accused Nos.1 to 3.

3. The first respondent herein has filed a private complaint as against the petitioner herein and respondents 1 to 3 before the learned VII Metropolitan Magistrate, George Town, Chennai, and the same was numbered as C.C.No.16581 of 2007 for the alleged offence under Sections 418, 494 and 498 I.P.C. Now, the petitioner / A.4 has come forward with the present petition to quash the said proceedings against him.

4. Today, when the matter was taken up for consideration, learned counsel appearing for the first respondent / de facto complainant submitted that the trial in C.C.No.16581 of 2007 has already commenced and P.W.1 has been examined. Further, he has submitted that already the de facto complainant approached this Court seeking early disposal of the case and this Court has given a direction to the trial Court to dispose of the case within a period of four months. After that, the petitioner / A.4 has filed the present petition to quash the said proceedings.

5. In my considered opinion, when there is an earlier direction by this Court to complete the trial within a period of four weeks and since the trial has already commenced, this Court cannot entertain this petition. Hence, the criminal original petition is dismissed. However, the learned VII Metropolitan Magistrate, George Town, Chennai is directed to expedite the trial of the case in C.C.No.16581 of 2007 and dispose of the same in accordance with law, within a period of four months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

sbi

सत्यमेव जयते Sub Assistant Registrar

To

1.The VII Metropolitan Magistrate,
George Town, Chennai.

Cr1.O.P.No.4263 of 2014

SVI (CO)
CA(30/12/2015)