

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.14410 of 2015

S.Aruchamy

... Petitioner

Vs

State Rep by
The Inspector of Police,
Sulur Police Station,
Tiruppur District.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the disposal of C.C.No.213 of 2011, on the file of the Judicial Magistrate Court, Avanashi, within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan
For Respondent : Mr.C.Emalias, Addl. Public Prosecutor

O R D E R

Seeking a direction to dispose the C.C.No.213 of 2011 on the file of the learned Judicial Magistrate, Avanashi.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials placed on record.

3. It is seen that after completing the investigation in Crime No.214 of 2003, the respondent police filed a Final Report on 16.08.2003 before the learned Judicial Magistrate, Palladam. Thereafter, the case was transferred to the Court of Judicial Magistrate, Avanashi, where it was renumbered as C.C. No.213 of 2011.

4. It is the grievance of the petitioner/accused that there has not been any progress in the trial, on account of which, he is suffering undue prejudice.

5. The learned Additional Public Prosecutor on instructions, submitted that four witnesses have been examined and that one Mr.Ramalingam, Deputy Superintendent of Police [Retd.] who was the Investigating Officer in this case is not co-operating for the disposal of the case, though several summons and witness warrants were issued against him.

6. Under such circumstances, the Superintendent of Police, Coimbatore Rural is directed to personally monitor the trial in C.C.No.213 of 2011 and ensure that the said witness is examined before the Trial Court. If the witness does not appear before the Trial Court, the Trial Court is directed to issue non-bailable warrant for his arrest and production. The Trial Court is directed to complete the trial, within a period of four months, from the date of receipt of a copy of this order and send a report to this Court.

7. With the above observation, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The Inspector of Police,
Sulur Police Station,
Tiruppur District.

2.The Judicial Magistrate Court, Avinashi.

3.do thro'The Chief Judicial Magistrate, Tiruppur.

4.The Superintendent of Police, Coimbatore.

5.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.K.Goviganesan, Advocate,SR.29230.

Rj (co)
krd 25/6

सत्यमेव जयते

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