

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.15726 of 2015
and M.P.Nos.1 and 2 of 2015

E.A.G.Moses ... Petitioner/5th Accused

Vs

1. The State

Rep.by Sub-Inspector of Police,
Elagiri Hills Police Station,
Elagiri, Thirupathur,
Vellore District.

2. Julias Immanuel

... Respondents/Complainant &
Defacto Complainant.

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records relating to the proceedings in C.C.No.30 of 2013 on the file of the Judicial Magistrate III, Thirupathur, Vellore District and to quash the same.

For Petitioner :Mr.V.Selvaraj

For Respondents :Mr.C.Emalias

Additional Public Prosecutor for R1

ORDER

This petition has been filed to quash the proceedings in C.C.No.30 of 2013 on the file of the Judicial Magistrate III, Thirupathur, Vellore District.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the 1st respondent and perused the material placed on record.

3.It is seen that FIR was registered on 19.06.2007 and after completion of investigation, the final report has been filed before the learned Judicial Magistrate No.II, Thirupathur, Vellore District, on 17.09.2008 and thereafter, the case was transferred to the learned Judicial Magistrate No.III, Thirupathur, Vellore District, and renumbered as CC.No.30 of 2013. It is represented by the learned

counsel for the petitioner that A1/Kingdon David and A4/Woodal @ Prince are absconding and the other accused namely, A2-Bala, A3-Balu and A5-Moses, who is the petitioner herein, are regularly attending the Court.

4.Under such circumstances, this Court directs the trial Court to split up the case in respect of A2, A3 and A5 and proceed the same, within a period of three weeks from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petitions are closed.

mps

s/d-
Assistant Registrar(Ad-I)

True Copy

Sub-Assistant Registrar

To

1.The Judicial Magistrate III,
Thirupathur,
Vellore District.

2.The Sub-Inspector of Police,
Elagiri Hills Police Station,
Elagiri, Thirupathur,
Vellore District.

3.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.V.Selvaraj, Advocate SR 32045

msm(co)
prk13/7

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