

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.16669 of 2015

1.D.Bindhu Balaji
2.P.Durairaj
3.Malarveni

... Petitioners

Vs

State by:
Inspector of Police
Vellore North Police Station
Vellore
(Crime No.490 of 2012)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Judicial Magistrate No.IV, Vellore to conduct and complete the trial of the case in C.C.No.11 of 2013, on his file expeditiously within a time frame.

For Petitioners : Ms.R.Gobika

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.IV, Vellore to conduct and complete the trial of the case in C.C.No.11 of 2013, on his file expeditiously within a time frame.

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

3. On a reading of the adjudication, it is seen that the charges were framed and accused were questioned by the trial Court on 26.12.2014. Thereafter, A2 has not been appearing before the trial Court and a petition under Section 317 is being filed. On 11.06.2015, A1 and A3 were present and A2 was absent. There was no representation for A2 and L.W.1 was present. Therefore, the case was adjourned to 17.06.2015.

4. From the above, it is clear that the witness has appeared before the Court, but the accused is protracting the trial. Therefore, this Court cannot issue direction to the trial Court to complete the trial in a time bound manner. If the accused co-operates by appearing before the trial Court to cross examine the witness, then, the trial Court is directed to expeditiously conduct the trial.

With the above observation, this criminal original petition is dismissed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sms

To

1. The Judicial Magistrate IV,
Vellore.
2. -Do- Through The Chief Judicial Magistrate,
Vellore
3. Inspector of Police
Vellore North Police Station
Vellore
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Sathia Chandran, Advocate, S.R.No.33937

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KK(CO)
CA(21/07/2015)

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