



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 04.02.2015

CORAM
THE HONOURABLE MR.JUSTICE C.T.SELVAM

WEB COPY

Cr1.O.P. (MD) No.14293 of 2013
and
M.P. (MD) No.1 of 2013

1.Raj

2.Balakrishnan

... Petitioners /A1 & A2

-Vs-

1.State rep.by
The Sub Inspector of Police,
Pudhukkadai Police Station,
Kanyakumari District
(Crime No.89 of 2008)

... 1st Respondent / Complainant

2.Sasi

... 2nd Respondent / Defacto Complainant

PRAYER: Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the impugned proceedings in S.T.C.No.327 of 2008 on the file of the Judicial Magistrate Court No.II, Kuzhithurai and to quash the same.

For petitioners : Mr.M.R.Sreenivasan

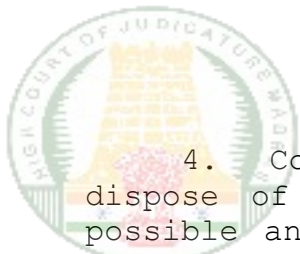
For Respondent-1 : Mr.K.Anbarasan
Government Advocate (Cr1. Side)

O R D E R

This petition has been filed praying to quash the impugned proceedings in S.T.C.No.327 of 2008, on the file of learned Judicial Magistrate Court No.II, Kuzhithurai.

2. The petitioner is an accused in S.T.C.No.327 of 2008, for the offence under Sections 341, 294(b), 323, 427 and 506(i) of IPC.

3. Learned counsel appearing for petitioners submits that there is no progress in the trial owing to P.W.1 repeatedly being absent, his examination not having commenced till date.



4. Considering the facts and circumstances, the trial Court shall dispose of the case in in S.T.C.No.327 of 2008, as expeditiously as possible and not latter than four months from the date of receipt of a copy of this order. In the event of failure of the witnesses to appear before it, the trial Court may take a serious view and upon their failure to appear, issue NBW. The undertaking made on behalf of the respondent that the respondent will duly cooperate in the early disposal of the case and cause presence of the witness before the trial Court is recorded.

5. With the above observation, the Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate No.II,
Kuzhithurai.
2. The Chief Judicial Magistrate,
Kanyakumar District.
- 3.The Sub Inspector of Police,
Pudhukkadai Police Station,
Kanyakumari District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.R. Sreenivasan, Advocate SR.5157
MPK
GV/21.02.15/2p/5c

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