

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.1219 of 2016

1.Vallinayagam

2.R.Kasthuri

3.Soundary

... Petitioners

Vs

1. The Inspector of Police,
All Women Police Station,
Gudiyattam,
Vellore District.

2. S.Sumathi

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Judicial Magistrate of Gudiyattam to dispose the C.C.No.106 of 2013 expedite the trial and conclude the same within the period fixed by this Court.

For Petitioners : Mr.D.A.Sugumar

For respondents : Mr.C.Emalias,
Additional Public Prosecutor,
for R.1

ORDER

The present criminal original petition has been filed by the petitioners seeking a direction to the learned Judicial Magistrate, Gudiyattam, to expedite the trial of the case in C.C.No.106 of 2013 pending on his file and conclude the same within the period fixed by this Court.

2. In view of the limited order going to be passed hereunder, this Court is of the opinion that there is no need to issue notice to the second respondent.

3. On the basis of the complaint given by the second respondent herein as against the petitioners and another before the learned Judicial Magistrate, Gudiyatham, a case has been registered in Crime No.13 of 2012 for the alleged offence punishable under Sections 498-A and 506(ii) I.P.C. and Section 4 of Dowry Prohibition Act. After receipt of complaint, the same was forwarded to the first respondent police and after completion of investigation, the first respondent filed charge sheet and the same was taken on file as C.C.No.106 of 2013. Now, the petitioners have come forward with the present petition seeking early disposal of C.C.No.106 of 2013.

4. Learned counsel appearing for the petitioners submitted that though the case was adjourned to various dates, the second respondent never takes any steps to produce the prosecution witnesses and the second respondent and other witnesses have deliberately, wantonly and wilfully not turned up before the trial Court to give evidence. Further, he has submitted that though the case is of the year 2013, so far, no one was examined on the side of the prosecution. Thus, he sought for a direction for early disposal of the said case.

5. Considering the facts and circumstances of the case and considering the submissions made by the learned counsel appearing for the petitioners, this Court directs the learned Judicial Magistrate, Gudiyatham, to expedite the trial of the case in C.C.No.106 of 2013 pending on his file and dispose of the same, on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order. The criminal original petition is ordered accordingly.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sbi

To

1. The Judicial Magistrate,
Gudiyatham.

2. -Do- Through The Chief Judicial Magistrate,
Vellore.

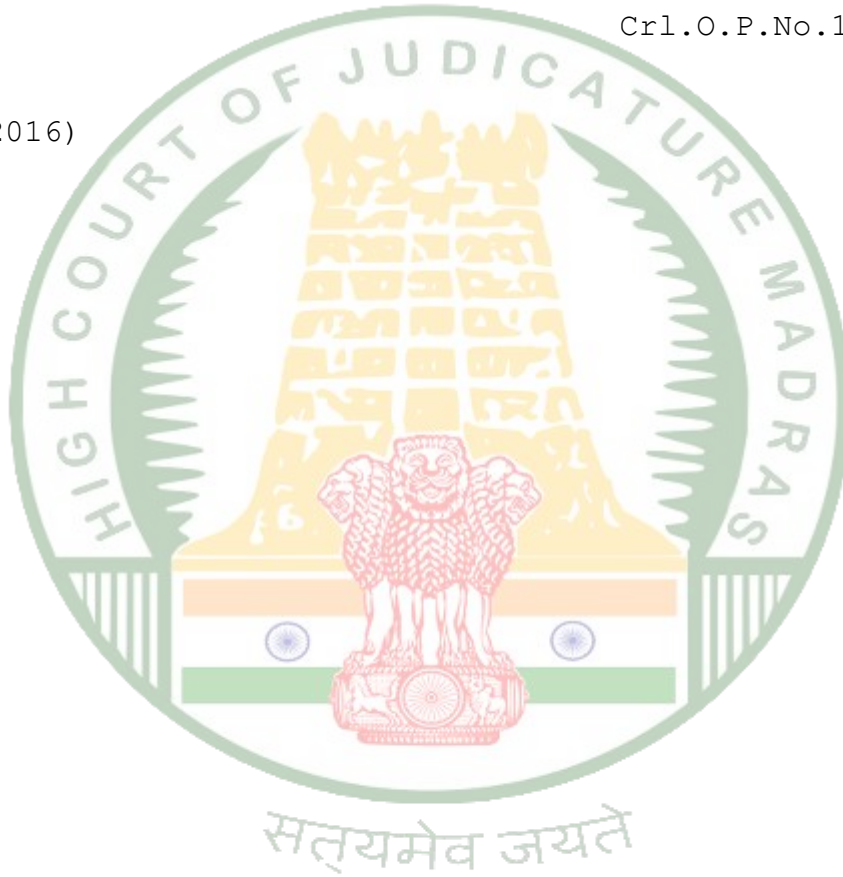
3. The Inspector of Police,
All Women Police Station,
Gudiyattam,
Vellore District.

4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.A.Sugumar, Advocate, S.R.No.3497

Cr1.O.P.No.1219 of 2016

RSY(CO)
CA(02/02/2016)



WEB COPY