

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.12593 of 2016

and

Crl.M.P.Nos.6510 and 6511 of 2016

1.Soundarambigai
2.Sekar
3.Ravi
4.Mani

Petitioners

Vs

1.State : Inspector of Police
Bhavanisagar Police Station
Erode District.

2.Veluchamy

Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to PRC No.2 of 2016 pending on the file of the learned Judicial Magistrate, Sathimangalam filed in Cr.No.135 of 2015 on the file of the Inspector of Police, Bhavanisagar Police Station, Erode District and quash the same.

For petitioners : Mr.K.S.Kaviarasu
For R1 : Mr.C.Emalias
Addl.Public Prosecutor

ORDER

This petition has been filed to call for the records pertaining to PRC No.2 of 2016 pending on the file of the learned Judicial Magistrate, Sathimangalam filed in Cr.No.135 of 2015 on the file of the Inspector of Police, Bhavanisagar Police Station, Erode District and quash the same.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State.

3. When the matter was taken up for hearing, learned counsel for the petitioners sought permission of this Court to withdraw this petition with suitable directions and he has also made an endorsement to that effect. Learned counsel also submitted that

a direction may be issued to the trial Court to complete the trial.

4. Accepting his submission, the Judicial Magistrate, Sathyamangalam, is directed to commit the case in PRC No.2/2016 to the Court of Sessions within one month from the date of receipt of a copy of this order, provided the accused co-operates in the committal proceedings. After the case is committed to the Court of Sessions, the Sessions Judge is directed to complete the trial within a period of six months thereafter, provided the accused engages a lawyer and cross examines the witnesses on the day they are examined-in-chief, as held by the Supreme Court in Vinoth Kumar vs. State of Punjab [2015(1) MLJ (crl) 288] and does not adopt any dilatory tactics.

With the above direction, this petition stands dismissed as withdrawn. Consequently, connected miscellaneous petitions are closed.

gms

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. Inspector of Police,
Bhavanisagar Police Station, Erode District.
2. The Public Prosecutor, High Court, Chennai.
3. The Judicial Magistrate, Sathyamangalam.
4. The District Sessions Judge, Erode.

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सत्यमेव जयते

Crl.OP No.12593 of 2016

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