

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.16179 of 2015

Vanaja ... Petitioner /Defacto Complainant

Vs

1.Natarajan
2.N.Rajesh
3.Thilagavathy ...Respondents 1 to 3/ Accused
4.State rep. by
Inspector of Police,
Central Crime Branch,
Chennai Suburban Police,
Chennai 16. ...4th Respondent/ Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Judicial Magistrate-I, Poonamallee to conduct the trial in the stipulated time fixed by the Court in the case pending trial in C.C.No.222 of 2009 on the file of the learned Judicial Magistrate No.I, Poonamallee.

For Petitioner : Mr.Milton Arul Rajendran

For respondents : Mr.C.Emalias,
Addl.Public Prosecutor,
for R.4

ORDER

The present criminal original petition has been filed seeking a direction to the learned Judicial Magistrate No.I, Poonamallee, to conduct the trial in C.C.No.222 of 2009 pending on his file and dispose of the same within a stipulated time to be fixed by this Court.

2. In the petition, it is averred that based on the complaint given by the petitioner as against the respondents 1 to 3, a case was registered in Crime No.471 of 2007 for the alleged offence punishable under Sections 465, 467, 468, 471 and 420 read with 120(b) I.P.C. In the said case, after completion of investigation, final report was filed before the learned

Judicial Magistrate No.I, Poonamallee and the same was taken on file as C.C.No.222 of 2009. Now, the petitioner has come up with the present petition seeking a direction to the learned Judicial Magistrate No.I, Poonamallee to conduct the trial in C.C.No.222 of 2009 pending on his file and dispose of the same within a stipulated time.

3. Learned counsel appearing for the petitioner submitted that though all the witnesses were examined on the side of prosecution and the respondents 1 to 3 were also questioned under Section 313 Cr.P.C., the respondents were keeping on filing applications under Section 311 Cr.P.C., with a sole intention to prolong the matter.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the fourth respondent. 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 respondents 1 to 3.

5. Considering the facts and circumstances of the case and considering the fact that the said case is pending for the past seven years, this Court directs the learned Judicial Magistrate No.I, Poonamallee, to expedite the trial of the case in C.C.No.222 of 2009 pending on his file and dispose of the same as expeditiously as possible, preferably, within a period of three months from today (5.1.2016). The Criminal Original Petition is disposed of accordingly.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

sbi

To

1.The Judicial Magistrate No.I,
Poonamallee.

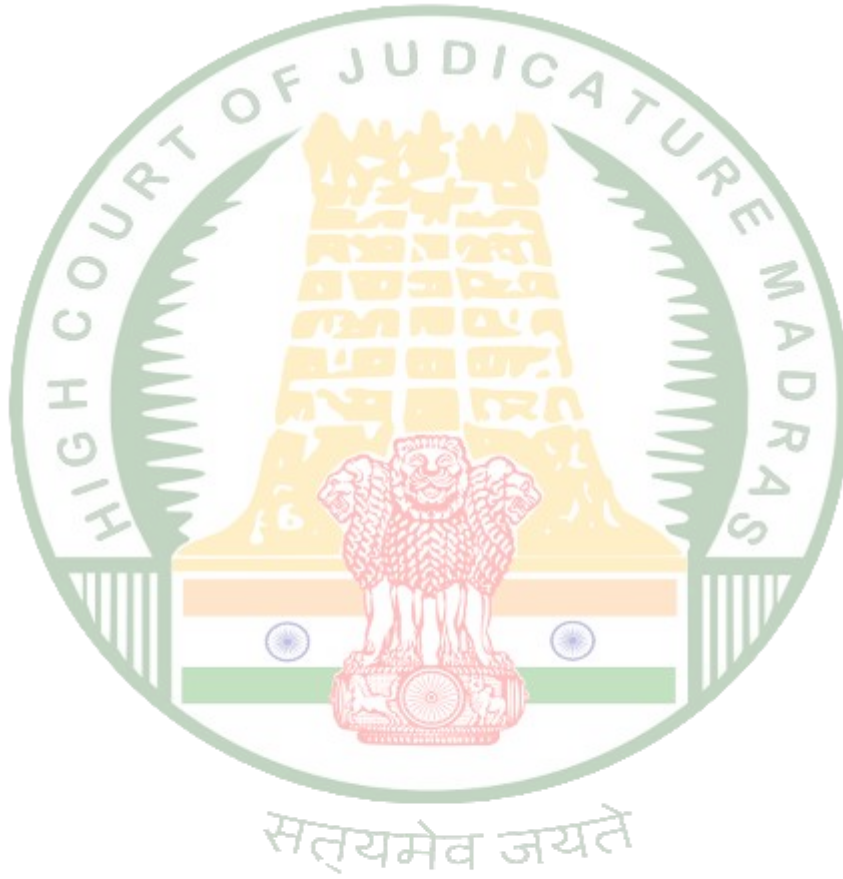
2.The Inspector of Police,
Central Crime Branch,
Chennai Suburban Police,
Chennai 16.

3.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.J. Milton Arul Rajendran, Advocate, Sr. 420

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GR (CO)
kk 19/1



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