

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.13382 of 2016

and

CRL.M.P.No.6874 of 2016

Prasanna @ Prasanna Kumaar

... Petitioner

Vs

The State rep by
The Deputy Superintendent of Police,
Udumalaipet Sub Division,
Tiruppur District.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the Hon'ble Principal District and Sessions Court, Tiruppur to frame the charges afresh in S.C.No.19 of 2016 on the file of the Principal District and Sessions Court, Tiruppur as per the procedure laid down in the Cr.P.C. in accordance with law.

For Petitioner : Mr.M.Guruprasad

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This petition has been filed to direct the learned Principal District and Sessions Judge, Tiruppur to frame the charges afresh in S.C.No.19 of 2016 pending on the file of the Principal District and Sessions Court, Tiruppur.

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

3. It is seen that this petitioner is facing trial in S.C.No.19 of 2016 before the Principal District and Sessions Judge, Tiruppur. The case has been committed to the Court of Sessions. The accused appeared on 08.06.2016 and the case was adjourned to 13.06.2016, on which date, charges were framed by the Sessions Court. Thereafter, the petitioner has moved this

application to set aside the charges and for further directions to the trial Court to frame charges afresh by following the procedure under Sections 225 and 226 Cr.P.C.

4. In the considered opinion of this Court, such a direction cannot be issued, especially, in view of the fact that when charges were framed and the accused were questioned, they did not raise any serious objection before the trial Court and only thereafter, the present application has been filed to frame the charges afresh. The accused cannot be permitted to adopt delaying tactics in a case of this nature. Hence, this petition is dismissed with a direction to the trial Court to complete the trial expeditiously. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Principal District & Sessions Judge,
Tiruppur.
- 2.The Deputy Superintendent of Police,
Udumalpet Sub Division,
Tiruppur District.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Guruprasad, Advocate, S.R.No.36650

SKV(CO)
CA(13/07/2016)

CRL.OP.No.13382 of 2016

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