

IN THE HIGH COURT OF JUDICATURE AT MADRAS

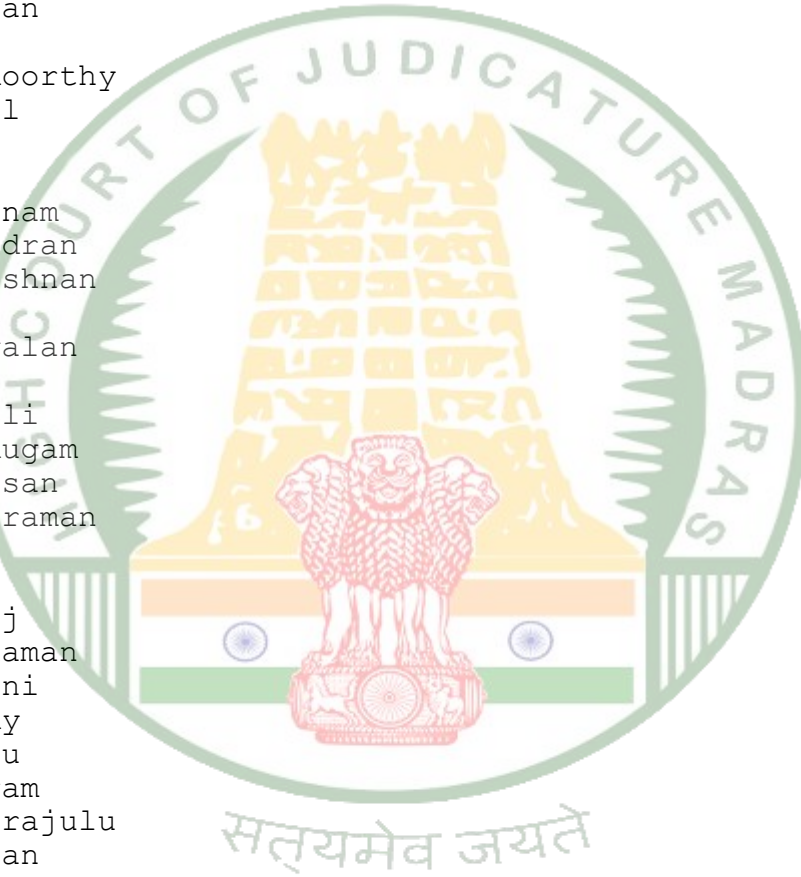
DATED : 27.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.14454 of 2016

- 1.T.V.Paramasivam
- 2.D.Kristober
- 3.R.Srinivasan
- 4.G.Thulasi
- 5.M.Sankaramoorthy
- 6.Nandhagobal
- 7.R.Raja
- 8.J.Prabu
- 9.S.Nagapusanam
- 10.A.Jaichandran
- 11.D.Balakrishnan
- 12.P.Prakash
- 13.R.Denadayalan
- 14.G.Velu
- 15.Chinna Kali
- 16.T.K.Shanmugam
- 17.L.Venkatesan
- 18.E.Anantharaman
- 19.P.G.Ravi
- 20.M.Mohan
- 21.K.Selvaraj
- 22.S.Paranthaman
- 23.N.Subramani
- 24.R.Ramasamy
- 25.T.Vadivelu
- 26.S.Vinayagam
- 27.G.Varadharajulu
- 28.R.Gajendran
- 29.G.Nathamuni
- 30.E.Anandharasu
- 31.K.Gopalakrishnan
- 32.R.Giri
- 33.A.Asokan
- 34.A.Venkatesan
- 35.M.Venugobal
- 36.Sayed Ghoush
- 37.M.Manikandan
- 38.Makeshkumar
- 39.B.Gobi



WEB COPY

40.Babu

41.Thivijendran

... Petitioners

Vs

State rep.by

The Station House Officer (Law & Order),

F-4, Thousand Light Police Station,

Chennai-6.

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Chief Metropolitan Magistrate, Egmore, Chennai, to dispose of CC.No.1223 of 2010 expeditiously within a stipulated time.

For Petitioners :Mr.P.R.Thiruneelakandan

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

ORDER

This Criminal Original Petition has been filed to direct the learned Chief Metropolitan Magistrate, Egmore, Chennai, to dispose of CC.No.1223 of 2010 expeditiously.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. Pursuant to the order dated 13.07.2016 passed by this Court, the learned Chief Metropolitan Magistrate, Egmore, has sent a report dated 22.07.2016, wherein it is stated as follows :

2. I further submit that LW1 to LW3 were examined as PW1 to PW3 respectively on 23.12.2011. PW1 to PW10 were examined so far. Though on 29.09.2014 A39 was reported dead, charge was abated as against A39 only on 21.04.2015 as death certificate was filed only on 21.04.2015. The case was pending without any progress from 17.10.2013 till 21.04.2015 as NBW was pending against A39 from 17.10.2013. The advocates are not attended the court from 13.06.2016 till date. Several letters were addressed to the Assistant Commissioner of Police for production of witnesses. These are the reasons for the delay in completing the trial of the case.

3. I further submit that the case is pending for examination of remaining witnesses and the case is posted to

29.07.2016 for production of LW13 to LW15. I have assumed charge of the post of CMM on 02.05.2016. I am taking sincere efforts to dispose of the case as early as possible.

4. I submit the above report for the kind perusal of the Hon'ble High Court.

4. The Assistant Commissioner of Police, Nungambakkam, Chennai, under whose control F4-Thousand Light Police Station comes, is directed to monitor the trial in C.C.No.1223 of 2010, and ensure that the witnesses are produced before the trial Court for being examined. As and when the witnesses are produced, they shall be examined, and boycott of Courts cannot be a reason for adjourning the case, in the light of the law laid down in the Constitution Bench of Hon'ble Supreme Court in Harish Uppal [Ex.Capt.] Vs Union of India, reported in [2003] 2 SCC 45.

5. The learned counsel for the petitioner submitted that the accused are ready and willing to co-operate with the Court in completing the trial.

6. Recording the submission of the learned counsel, the learned Chief Metropolitan Magistrate, Egmore, Chennai, is directed to complete the trial in C.C.No.1223 of 2010, within a period of six months from the date of receipt of a copy of this order.

With the above direction, this Criminal Original Petition is disposed of.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ds

To

1.The Chief Metropolitan Magistrate,
Egmore, Chennai.

2.The Assistant Commissioner of Police,
Nungambakkam,
Chennai.

WEB COPY

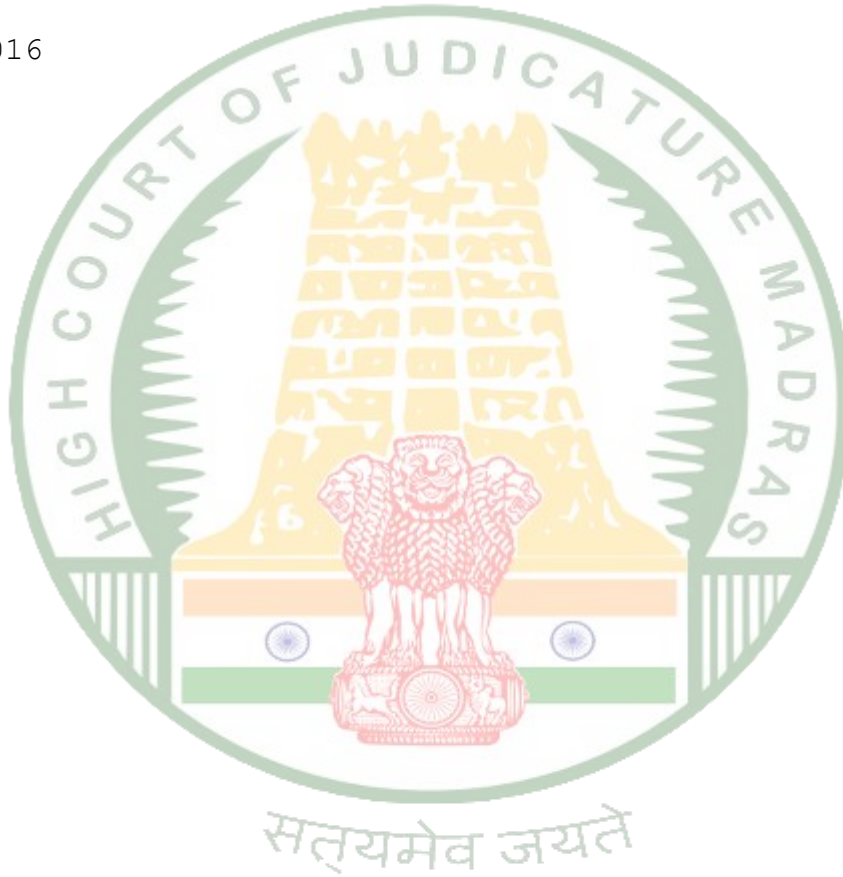
3.The Station House Officer (Law & Order),
F-4, Thousand Light Police Station,
Chennai-6.

4.The Public Prosecutor,
High Court, Chennai.

+1 cc to Mr.P.R.Thiruneelakandan Advocate sr.42582

Cr1.OP.No.14454 of 2016

aa17/08/2016



WEB COPY