

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2016

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

CrI.O.P. No.22853 of 2016
and CrI.M.P. No.10667 of 2016

N. Karthikeyan

Petitioner

vs.

State
represented by
the Station House Officer
Lawspet Police Station
(Crime No.34 of 2012)

Respondent

Criminal Original Petition filed under Section 482, Cr.P.C. seeking to call for the entire records relating to the PRC No.47 of 2012, now re-numbered as 15 of 2015, pending on the file of the Judicial Magistrate Court No.II, Puducherry and quash the same insofar as the petitioner is concerned.

For petitioner Mr. M. Gnanasekar

For respondent Mr. M.R. Thangavel
APP (Pondy)

ORDER

This petition has been filed to call for the entire records relating to PRC No.47 of 2012, now re-numbered as 15 of 2015, pending on the file of the Judicial Magistrate Court No.II, Puducherry and quash the same insofar as the petitioner.

2. When this Court was about to dismiss the petition on merits, learned counsel for the petitioner sought permission of this Court to withdraw this petition and he has also made an endorsement to that effect. Permission is granted. Accordingly, this petition is dismissed as withdrawn with liberty to raise all points before the trial Court. Consequently, connected miscellaneous petition is closed.

3. The learned counsel for the petitioner submitted that a direction may be issued to the committal Court to complete the committal proceedings expeditiously.

4. There is sufficient force in the submission of the learned counsel for the petitioner, because the FIR is of the year 2012 and the Final Report also has been filed in 2012,

whereas, the committal proceedings have not been completed till date. It is not certain as to in which Court, whether Judicial Magistrate-I or Judicial Magistrate-II, Puducherry, PRC No.47 of 2012 is pending.

5. Learned Additional Public Prosecutor [Puducherry] submitted that PRC No.47 of 2012 has been re-numbered as PRC No.15 of 2015. Be that as it may, the Court whether Judicial Magistrate-I or Judicial Magistrate-II, Puducherry, as the case may be, is directed to complete the committal proceedings within two months from the date of receipt of a copy of this order. If the accused absconds, a fresh FIR can be registered u/s 229-A IPC.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gms

To

- 1 The Station House Officer
Lawspet Police Station
- 2 The Judicial Magistrate Court No.I
Puducherry
- 3 The Judicial Magistrate Court No.II
Puducherry
- 4 The Public Prosecutor
High Court of Madras
Chennai 600 104

+1cc to Mr.M. Gnanasekar, Advocate, S.R.No.60828

+1cc to the Government Pleader, S.R.No.61025

RSY(CO)
EU(30/11/2016)

CrI.O.P.No. 22853 of 2016