

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23. 11.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.25383 of 2016 and
Crl.MP.Nos.12318 & 12319 of 2016

1. Chinnappa Gounder,
2. Pachamuthu
3. Angamuthu @ Thangaraj
4. Semalai GounderPetitioners

Vs.

1. The State rep. by
Sub Inspector of Police,
Ammapettai Police Station,
Bhavani Taluk, Erode District.
2. Gurusamy ... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to call for the records pertaining to the C.C.No.130 of 2006 on the file of the learned Judicial Magistrate, Bhavani and quash the same.

For Petitioners : Mr.A.Rajeshkanna

For R1 : Mr.C. Emalias
Addl. Public Prosecutor

O R D E R

When this Court was about to dismiss this petition on merits, the learned counsel for the petitioners sought permission to withdraw this petition and he has also made an endorsement to that effect.

2. In view of the above submission and endorsement made by the learned counsel for the petitioners, this petition is dismissed as withdrawn. Connected Miscellaneous Petition are closed.

3. Learned Additional Public Prosecutor submitted that the case is pending from the year 2006 onwards.

4. Under such circumstances, the Trial Court is directed to expeditiously conduct the trial and complete the investigation within a period of six months from the date of

receipt of a copy of this order on condition that the petitioners shall cooperate in the trial and the trial Court shall ensure that the accused cross-examine the witnesses on the same day they are examined-in-chief as directed by the Supreme Court in Vinod Kumar vs. State of Punjab [2015(1) MLJ (Cr1) 288]. If the petitioners adopt any dilatory tactics, it is open to the trial Court to remand them to custody in terms of the law laid down by the Supreme Court in State of Uttar Pradesh v. Shambunath Singh [JT 2001 (4) SC 319]. If the petitioners abscond, a fresh FIR should be registered against them u/s 229-A IPC. Consequently, connected miscellaneous petitions are closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

kmi

1. The Sub Inspector of Police,
Ammapettai Police Station,
Bhavani Taluk, Erode District.

2. The Public Prosecutor,
High Court, Madras.

3. The Judicial Magistrate
Bhavani

4. Do- Thro The Chief Judicial Magistrate
Erode

+1 cc to M/s.A.Rajesh Kanna Advocate sr 68686

सत्यमेव जयते

Cr1.O.P.No.25383 of 2016

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