

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.9255 of 2016

M.A.Krishnan ...Petitioner / De facto complainant

Vs.

1.Vijayabaskaran

2.Sudha

3.Madhusoodhanan

4.Deepika

...Respondents 1 to 4/Accused

5.State by

Inspector of Police,

R6, Kumaran Nagar Police Station,

Chennai. ... 5th Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to fix an early date to complete the trial in C.C.No.719 of 2016 pending on the file of the XXIII Metropolitan Magistrate Court, Saidapet, at the earliest.

For Petitioner : Mr.G.Muniraj

for Mr.C.Rajan

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to fix an early date to complete the trial in C.C.No.719 of 2016 pending on the file of XXIII Metropolitan Magistrate Court, Saidapet, at the earliest.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent-Police.

3. Today, Mr.Venkatesan, Inspector of Police, R6, Kumaran Nagar Police Station, Chennai, is present.

4. When the case is taken up for hearing, the learned Additional Public Prosecutor submitted that the accused in C.C.No.719 of 2016 on the file of the XXIII Metropolitan Magistrate Court, Saidapet, filed Crl.OP.No.8404 of 2016, Crl.OP.Nos.4385 & 4386 of 2016, challenging the prosecution in

C.C.No.719 of 2016, and this Court by an order dated 30.06.2016, quashed the prosecution as against Deepika (A4) and had dismissed the quash petitions with regard to A1 to A3.

5. The learned Additional Public Prosecutor further submitted that Vijayabaskaran (A1) had died on 24.07.2016, and non-bailable warrant was issued against Sudha (A2) and Madhusoodhanan (A3). Thereafter non-bailable warrant was recalled in respect of Sudha (A2) on 15.06.2016, and the non-bailable warrant is pending as against Madhusoodhanan (A3).

6. It is also seen that XXIII Metropolitan Magistrate, Saidapet, on whose file C.C.No.719 of 2016 is pending, has been transferred and now the post is vacant.

7. Under such circumstances, this Court cannot give a direction to the trial Court to complete the trial within a time bound manner. However, the police is directed to expeditiously execute the non-bailable warrant pending against Madhusoodhanan (A3).

With the above direction, this petition is closed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To:

- 1.The XXIII Metropolitan Magistrate,
Saidapet, Chennai.
- 2.The Inspector of Police,
R6, Kumaran Nagar Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.C.Rajan,advocate,sr.44299.

bvr(co)
krd 26/8

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