

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2016

CORAM:

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

Cr1.O.P. No.9947 of 2016

R. Dharmalingam

... Petitioner

Vs.

State

represented by the Inspector of Police
Pallipalayam Police Station
Namakkal

(Crime No.617 of 2002)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in relation to the charge sheet No.223/2003 dated 29.08.2003 in C.C. No.406 of 2005 on the file of the Judicial Magistrate Court, Tiruchengode, Namakkal District and quash the same.

For petitioner :Mr. K. Shahul Hameed

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

ORDER

This Criminal Original Petition has been filed to call for the records in relation to the charge sheet No.223/2003 dated 29.08.2003 in C.C. No.406 of 2005 on the file of the Judicial Magistrate Court, Tiruchengode, Namakkal District and quash the same.

2 Today, when the matter was taken up for hearing, Mr.R. Ashok Kumar, Inspector of Police, Pallipalayam Police Station, Namakkal District is present.

3 The learned Additional Public Prosecutor, on instructions, submits that 11 witnesses were produced before the Trial Court on various dates and some of them have been examined as witnesses.

4 Since trial has commenced, this is not a fit case to quash the prosecution. However, the Trial Court is directed to complete the trial within a period of six months from the date of receipt of a copy of this order. The petitioner shall cross-examine the witnesses on the day they are examined-in-chief, as held by the Supreme Court in Vinoth Kumar vs. State of Punjab [2015(1) MLJ (Cr1.) 288].

With the above directions, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Pallipalayam Police Station,
Namakkal.
2. The Judicial Magistrate,
Tiruchengode,
Namakkal District.
3. The Public Prosecutor,
Madras High Court,
Chennai 600 104.

सत्यमेव जयते

Cr1.O.P.No.9947 of 2016

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srg 02/09/2016

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