



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD) No.1950 of 2016

Subramani

... Petitioner

vs.

The Inspector of Police
Sakkottai Police Station
Sivagangai District

... Respondent

PRAYER: This petition is preferred under Section 482 Cr.P.C., to direct the learned Judicial Magistrate, Karaikudi, to split up the case in C.C.No.244 of 2014 and complete the trial within a stipulated time.

For Petitioner : Mr.RM.Arun Swaminathan

For Respondent : Mr.C.Mayil Vahana Rajendran

Additional Public Prosecutor

O R D E R

The petitioner has filed this criminal original petition, under Section 482 of the Code of Criminal Procedure, seeking direction upon the learned Judicial Magistrate, Karaikudi, to split up the case in C.C.No.244 of 2014, and to complete the trial within a stipulated time.

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

3. The learned Additional Public Prosecutor has submitted that the second accused in this case has been absconding and on account of which the Trial Court is not in a position to proceed with the matter further.

4.It is a settled legal principle that no accused should be made to suffer in view of the fact that the co-accused has been absconding. Under such circumstances, the learned Judicial Magistrate, Karaikudi, is directed to split up the case in C.C.No.244 of 2014, as against the petitioner / 1st Accused, and to complete the trial expeditiously.



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5. With the above direction, this criminal original petition is disposed of.

Sd/
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Karaikudi.
2. The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to RM.Arunawaminathan, Advocate in sr.No.6923

krk
CN/GSV-AN/12.2.2016/5C-2P

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