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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 25.02.2016
CORAM
THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.2295 of 2016

M.Pandi

... Petitioner

Vs

The State rep. By
The Inspector of Police,
C4, Thilagar Thidal Police Station Crime,
Madurai.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Judicial Magistrate No.II, Madurai to commit the case in P.R.C.No.105 of 2012 to learned Sessions Judge, Madurai within the time frame fixed by this Court.

For Petitioner : Mr.P.Balamurugan
For Respondent : Mr.K.V.Rajarajan
Government Advocate (Crl.side)

O R D E R

This petition has been filed to direct the learned Judicial Magistrate No.II, Madurai to commit the case in P.R.C.No.105 of 2012 to learned Sessions Judge, Madurai within the time frame fixed by this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondent and perused the materials placed on record.

3. When the matter was taken up for hearing, it is seen that the learned Judicial Magistrate No.II, Madurai has sent a report in which it is stated that the accused has been absconding from time to time and they have been deliberately delaying the committal proceedings. However, the learned Magistrate has stated that the committal proceedings has been completed and the records have been sent to the Principal and Sessions Judge, Madurai on 16.02.2016 in D.No.400 of 2016.

4.Under such circumstances, the petitioner is directed to appear before the Sessions Court and take part in the trial. If the accused adopts any dilatory tactics in the trial, the trial court is empowered to remand the accused to judicial custody under Section 309 Cr.P.C and proceed with the trial.

5. With the above direction, this petition is closed.

Sd/-

Assistant Registrar(AE)

/True copy/



To

1.The Inspector of Police,
C4, Thilagar Thidal Police Station Crime,Madurai.

2.The Judicial Magistrate No.II, Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.P.Balamurugan, Advocate SR.No.10926

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CRL.OP.(MD) No.2295 of 2016