



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2016

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP(MD) No.4218 of 2016

A.V.Manoharan

..Petitioner/Accused No.3

Vs

The State represented by
The Inspector of Police,
All Women Police Station,
Theni, Theni District.
(Crime No.4 of 2012)

..Respondent/Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Judicial Magistrate, Theni, Theni District to expedite the trial in C.C.No.467 of 2012 and conclude the same within a time frame as fixed by this Court.

For Petitioner	:Mr.S.Palani Velayutham
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, Theni, Theni District to expedite the trial in C.C.No.467 of 2012 and conclude the same within a time frame as fixed by this Court.

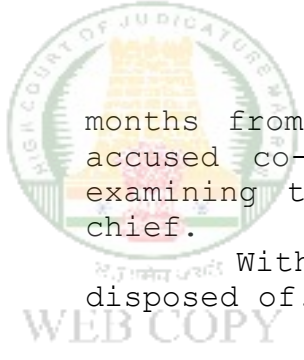
2. Heard the learned Counsel for the petitioner and the learned Government (Crl.Side) appearing for the State.

3. On the complaint lodged by Nathiya, the respondent police registered a case in Cr.NO.467 of 2012 for the offences under Sections 498(A), 406 and 506(i) I.P.C. and Section 4 of Dowry Prohibition act and also Section 4 of TMPHW Act and after completing the investigation, they have filed final report in C.C.No.467 of 2012 before the learned Judicial Magistrate, Theni. A.V.Manoharan - A.3 has approached this Court for a direction to the trial Court to complete the trial in C.C.No.467 of 2012 in a time bound manner.

4. When the matter was taken up for hearing, the learned Government Advocate (Crl.Side) submitted that the case in C.C.No.467 of 2012 has been referred to the District Mediation Centre and therefore, the prosecution is not able to proceed with the trial.

5. Mr.S.Palani Velayutham, learned Counsel appearing for the accused submitted that the trial is getting unnecessary delayed under the guise of mediation and the defacto complainant is reluctant to get into the witness box.

6. Recording the submission made by the learned Counsel for the petitioner, the Criminal Court directs the learned Judicial Magistrate, Theni to recall the case in C.C.No.467 of 2012 from the Mediation centre and proceed with the trial and complete the same within a period of six



months from the date of receipt of a copy of this order, provided the accused co-operates in the trial by engaging the Counsel and cross-examining the prosecution witnesses, as and when they are examined in chief.

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

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS)

To

1.The Judicial Magistrate, Theni.

2.-do-thro'The Chief Judicial Magistrate, Theni.

3.The Inspector of Police, All Women Police Station,
Theni, Theni District.

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

+1cc to M/s.S.Palanivelayutham, Advocate in SR.18114

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