



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2016

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP(MD) No.5755 of 2016

Ramu

..Petitioner/Accused No.1

Vs

The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.248 of 2011)

.. Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Judicial Magistrate, Manamadurai to commit the case to the concerned Court and direct to conduct speedy trial in P.R.C.No.13 of 2012.

For Petitioner	:Mr.G.Karuppasamy Pandian
For Respondents	:Mrs.S.Prabha
	Government Advocate(Crl.Side)

O R D E R

This petition has been filed to direct the learned Judicial Magistrate, Manamadurai to commit the case to the concerned Court and direct to conduct speedy trial in P.R.C.No.13 of 2012.

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

3. It is seen that the F.I.R. in this case was registered on 07.07.2011 in Cr.NO.248 of 2011 under Section 399 I.P.C. against Ramu (A.1), Thamilarasan (A.2), Thangarasu (A.3), Lakshmanan (A.4) and Muthu Selvam (A.5) and after completing the investigation, the respondent police filed final report in P.R.C.No.13 of 2012 before the Judicial Magistrate, Manamadurai and the same is pending till date, without the case being committed to the Court of Sessions on the ground that A.2 and A.5 are absconding.

4. In the considered opinion of this Court, this cannot be a reason to keep the sword damocles hanging over the head of other service providers who are regularly appearing before the Court in an indefinite period. Hence, the learned Judicial Magistrate, Manamadurai is directed to take appropriate action and split the



case as against the absconding accused and proceed with the trial proceedings with regard to the available accused and commit the same to the Court of Sessions within a period of one month from the date of receipt of a copy of this order, provided the accused co-operate for the same.

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

Sd/-

Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

To

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

+1cc to Mr.G.Karuppasamy Pandian, Advocate SR.No.23377

sm:SKS-RR:04.5.2016:2P/5C

Crl.OP No.5755 of 2016