

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Cr1.O.P.No.8399 of 2017

G.Sathya

... Petitioner

Vs

The state rep.by
the Inspector of Police,
C1, Sriperumbudur Police Station,
Cr.No.704 of 2011

... Respondent

Petition filed under Section 482 of the Criminal Procedure Code, to issue a direction to the respondent to serve summons on the accused persons in PRC No.27 of 2012 on the file of the Court of Judicial Magistrate, Sriperumbudur and fix the time limit for the completion of the trial within a specified time.

For Petitioner : Mr.S.Santhosh

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

It is stated in the affidavit filed in support of this Criminal Original Petition that the petitioner's father was brutally murdered on 22.10.2011 and further the property of the petitioner's father was damaged. The petitioner gave a complaint dated 22.10.2011 to the respondent against the accused persons and an FIR was also registered on 22.10.2011 in Cr.No.704 of 2011 against the accused persons. Final report was also submitted by the respondent before the Judicial Magistrate, Sriperumbudur on 16.05.2012 which was also numbered in PRC No.27 of 2012. While so, the accused persons are not appearing before the Trial Court even though non-bailable warrants were issued against them and due to the same, the case is still not committed to the Sessions Judge. Hence this Criminal Original Petition.

2.The learned counsel for the petitioner submits that even though the offence was committed in the year 2011 and final report was filed in the year 2012, there is no progress in the

case as the accused persons are not appearing before the Trial Court. Thus he prayed for a suitable direction to ensure the presence of the accused persons before the Trial Court.

3.Mr.C.Emalias, learned Additional Public Prosecutor, takes notice for the respondent.

4.Considering the averments put forth by the learned counsel for the petitioner and also the facts and circumstances of the case, the respondent police is directed to take appropriate steps to serve summons on the accused persons in PRC No.27 of 2012 on the file of the learned Judicial Magistrate, Sriperumbudur and ensure their presence before the Trial Court in the next hearing date.

5.With the above direction, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

KM

To

1.The Judicial Magistrate,
Sriperumbudur.

2.The Inspector of Police,
C1, Sriperumbudur Police Station,
Chennai.

3.The Public Prosecutor,
Madras High Court,
Chennai-600 104.

+1cc to Mr.S.Santhosh, Advocate, S.R.No.40827

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KGK(CO)
CA(12/06/2017)