

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2017

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.O.P.No.4672 of 2013

&

M.P.Nos.1 & 2 of 2013

T.Marimuthu

..Petitioner/Accused

Vs.

B.Motheen

..Respondent/Complainant

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for the records in C.C.No.1838 of 2012 pending on the file of the learned VII Metropolitan Magistrate, George Town, Chennai and quash the same.

For Petitioner : Mr.I.Jenkins William

No appearance

For Respondent : Mr.T.K.Viswanath

O R D E R

The present petition is filed seeking quash of proceedings pending in C.C.No.1838 of 2012 on the file of the learned VII Metropolitan Magistrate, George Town, Chennai.

2. There is no appearance for petitioner. Heard Mr.T.K.Viswanath, learned counsel for respondent.

3. A reading of the quash petition informs that the primary ground of lack of territorial jurisdiction of the trial court is urged on the premise that the mere issuance of statutory notice within such court's jurisdiction, would not clothe the Magistrate with territorial jurisdiction. Such contention is unacceptable, in the light of the judgment of the Apex Court in 2014(9) SCC 129 (Dashrath Rupsingh Rathod Vs. State of Maharashtra).

4. The learned counsel for the respondent submitted that this case is now pending trial before the Fast Track Court No.1, Chennai.

5. This petition is dismissed. This Court directs learned Judge, Fast Track Court-1, Chennai to dispose of case in C.C.No.1838 of 2012, as expeditiously as possible, preferably within a period of four months from the date of receipt of a

copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

dn

To

- 1.The Fast Track Court-I, Chennai.
- 2.The VII Metropolitan Magistrate George Town Chennai
- 3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.T.K.Viswanath Advocate sr 46307

Cr1.O.P.No.4672 of 2013

sai(co)
aa10/08/2017

सत्यमेव जयते

WEB COPY