

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.3474 of 2011
and M.P.Nos.1 and 2 of 2011

1.N.Vijaya

2.Ananthi

....Petitioners/Accused 1 and 2

Vs

1.The Inspector of Police,
R-3 Ashok Nagar Police Station,
Chennai.

2.M/s.Subhiksha Trading Service Limited,
No.5, Habib Complex, 7th Floor,
Durgabhai Deshmukh Road,
R.A.Puram, Chennai-28.

Represented by its Company Secretary

M.Rathinakumar

...Respondents/Complainant

Petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining to C.C.No.18301 of 2009 on the file of the learned XVII Metropolitan Magistrate, Saidapet and quash the same as illegal.

For Petitioners: Mr.S.Raja

For Respondents: Mr.C.Emalias,

Additional Public Prosecutor for R1

Mr.Prakash Goklaney for R2

WEB COPY
O R D E R

This Criminal Original Petition has been filed to call for the records pertaining to C.C.No.18301 of 2009 on the file of the learned XVII Metropolitan Magistrate, Saidapet and quash the same as illegal.

2.The case relates to the year 2009. The main allegation is that the petitioners had committed the offence of trespass and theft and based on the same, the complaint came to be lodged and the trial proceeded with.

3.When this matter came up before this Court on 14.02.2011, this Court directed the petitioners to appear in person before the Trial Court and file a petition for recalling the non-bailable warrant issued against them and in the event of filing such application, the Trial Court was directed to consider the same. Further this Court granted interim stay for a period of two weeks. Thereafter, the matter was not listed.

4.Considering the facts and circumstances of the case, this Court is of the considered opinion that there is no point in keeping the trial in abeyance. Hence, the Criminal Original Petition is dismissed directing the learned XVII Metropolitan Magistrate, Saidapet to dispose of the case in C.C.No.18301 of 2009 as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

KM

To

1.The XVII Metropolitan Magistrate,
Saidapet, Chennai.

2.-Do- Thro The Chief Metropolitan Magistrate,
Egmore, Chennai.

3.The Inspector of Police,
R-3 Ashok Nagar Police Station,
Chennai.

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

Crl.O.P.No.3474 of 2011
and
M.P.Nos.1 and 2 of 2011

gr[col]
srg 14/2/2017



WEB COPY