

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2017

CORAM

THE HON`BLE MR.JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P.No.11019 of 2013

and

M.P.No.1 of 2013

L.Srinivasan

... Petitioner

Vs

State rep. by
The Inspector of Police,
W-25, All Women Police Station,
T.Nagar, Chennai 600 017.

Priyadarshini

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C to
call for the records in connection with C.C.No.4013 of 2012 on the file
of the learned XVII Metropolitan Magistrate, Saidaptet, Chennai and
quash the same.

For Petitioner : Mr.M.B. Babu Muthu Meeran

For Respondent : Mr.B.Ramesh Babu,
Govt, Advocate (Crl.side)
for R.1.

No appearance for R.2.

ORDER

This petition has been filed to quash the proceedings pending in C.C.No.4013 of 2012 on the file of the learned XVII Metropolitan Magistrate, Saidaptet, Chennai.

2.The learned counsel for the petitioner submitted that all the other independent witnesses have been examined and the matter is pending only for the purpose of cross examination of the Investigating Officer.

3.The learned counsel for the petitioner further submitted that even in the deposition, the defacto complainant had admitted that there was a memorandum of understanding between the petitioner and the defacto complainant, based on which, he had withdrawn the case against the defacto complainant but however, with a view to harass the petitioner, she has failed to comply with the memorandum of understanding and refused to withdraw the complaint. The learned counsel for the petitioner further submitted that the defacto complainant after giving evidence has left the petitioner in lurch and left the country and she is settled in U.S.A for

4.At this juncture, the learned Government Advocate (Criminal side) submitted that all the other witnesses have been examined and the case is posted only for examination of the Investigating Officer and the trial can be concluded and the case will come to an logical end.

5.In such circumstances, learned counsel for the petitioner made a submission across the bar that the Investigating Officer is retired and she has gone to U.S.A. and hence, it will take time for her to come back and that unnecessarily the petitioner has to undergo the ordeal of trial for no fault of his.

6.In reply, the learned Government Advocate (Criminal side) submitted that the trial will be concluded by examining the present Investigating Officer and he requested this Court to fix the time frame to dispose of the case, by examining the present.

7.Taking into consideration the facts and circumstances of the case that all the other independent witnesses have been examined and the matter is pending only for the examination and cross examination of Investigating Officer, this Court directs the learned

trial Judge to conclude the trial and dispose of case in in C.C.No.4013 of 2012 on the file of the learned XVII Metropolitan Magistrate, Saidaptet, Chennai within a period of two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

21.09.2017

Note to Office:
Issue order copy on 26.09.2017

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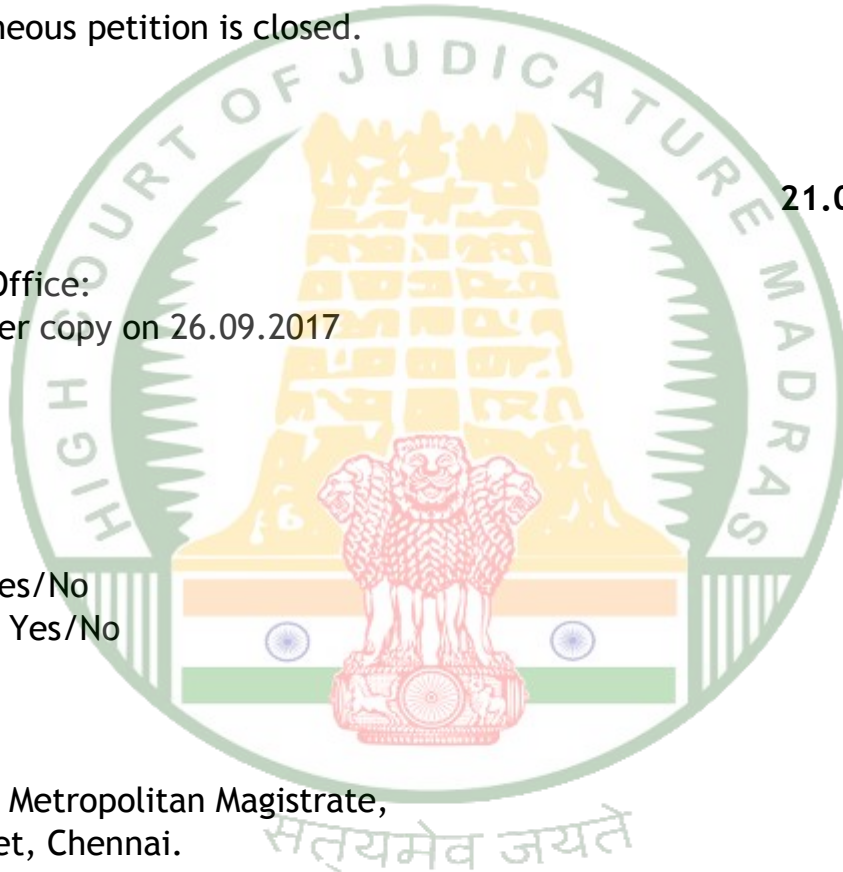
Index : Yes/No
Internet: Yes/No

To

1.The VII Metropolitan Magistrate,
Saidapet, Chennai.

2.The Inspector of Police,
W-25, All Women Police Station,
T.Nagar, Chennai 600 017.

3.The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J
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