



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2017

WEB COPY

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.(MD)Nos.12311, 12312 and 12313 of 2014
and 2527, 2532, 2590, 2591 and 2856 of 2011

and

M.P.(MD)Nos.1 of 2011 and 1 of 2013 in Crl.O.P.(MD)No.2527 of 2011
and

M.P.(MD)Nos.1 and 3 of 2011 in Crl.O.P.(MD)No.2532 of 2011
and

M.P.(MD)Nos.1 of 2011 and 1 of 2013 in Crl.O.P.(MD)No.2590 of 2011
and

M.P.(MD)Nos.1 of 2011 and 1 of 2013 in Crl.O.P.(MD)No.2591 of 2011
and

M.P.(MD)Nos.2 and 3 of 2011 in Crl.O.P.(MD)No.2856 of 2011

Crl.O.P.(MD)Nos.12311 to 12313 of 2014:

R.Esakkimuthu

... Petitioner
in all the Crl.O.Ps.

Vs.

State through
The Inspector of Police,
Commercial Crime Investigation Wing,
Thoothukudi,
Thoothukudi District.

... Respondent
in all the Crl.O.Ps.

PRAYER: These Criminal Original Petitions are filed under Section 482 of the Code of Criminal Procedure, to direct the learned Judicial Magistrate No.II, Tirunelveli, to expedite the trial pending in C.C.Nos.11, 12 and 13 of 2007 and to complete the trial within one month with regard to the petitioner.

For Petitioner : Mr.L.George Paul Anto
(in all the Crl.O.Ps.)

For Respondent : Mr.K.Anbarasan
(in all the Crl.O.Ps.) Government Advocate (Criminal side)

Crl.O.P.(MD)Nos.2527, 2532, 2590, 2591 and 2856 of 2011:



2.M.Arumuga Nainar

... Petitioner
in Crl.O.P.(MD)Nos.2532 & 2856/2011

3.R.Venkatesan

... Petitioner
in Crl.O.P.(MD)Nos.2590 & 2591/2011

Vs.

1.State represented by,
The Inspector of Police,
C.C.I.W., C.I.D.,
Tuticorin.
(Crime No.5/2005)

2.The Deputy Registrar,
Primary Co-operative Bank,
Sayarpuram,
Tuticorin.

... Respondents in all the Crl.O.Ps.

PRAYER: These Criminal Original Petitions are filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the impugned charge sheets laid in C.C.Nos.11, 12 and 13 of 2007 on the file of the Judicial Magistrate Court No.II, Tirunelveli, and quash the same insofar as the petitioners herein are concerned.

For Petitioners : Ms.P.Kalaiyarasi Bharathi
(in all the Crl.O.Ps.)

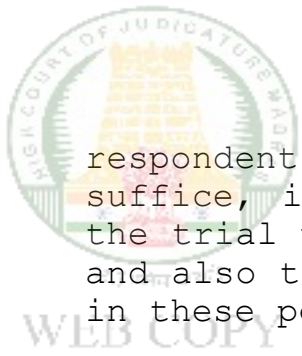
For Respondents : Mr.K.Anbarasan
(in all the Crl.O.Ps.) Government Advocate (Criminal side)

C O M M O N O R D E R

Criminal Original Petition (MD)Nos.12311 to 12313 of 2014 have been filed seeking a direction to the learned Judicial Magistrate No.II, Tirunelveli, to expedite the trial in C.C.Nos.11, 12 and 13 of 2007 and complete the same within one month insofar as the petitioner is concerned.

2.Criminal Original Petition (MD)Nos.2527, 2532, 2590, 2591 and 2856 of 2011 have been filed seeking to quash the charge sheets laid in C.C.Nos.11, 12 and 13 of 2007, pending on the file of the Judicial Magistrate Court No.II, Tirunelveli, insofar as the petitioners herein are concerned.

<https://hcservices.ecourts.gov.in/hcservices/>
3.Though the learned counsel for the petitioners in Crl.O.(MD) Nos. 2527, 2532, 2590, 2591 and 2856 of 2011 raised several grounds for quashing the charge sheets filed by the first



respondent/Law Enforcing Agency, she submitted that it would suffice, if a direction is issued to the trial Court to complete the trial within a time limit that may be prescribed by this Court and also to permit the petitioners to raise all the grounds raised in these petitions before the trial Court.

4. Heard the learned Government Advocate (Criminal side) appearing for the respondents in all these Criminal Original Petitions and the learned counsel for the petitioner in Crl.O.P. (MD) Nos. 12311 to 12313 of 2014 on the abovesaid submission made by the learned counsel for the petitioners in Crl.O. (MD) Nos. 2527, 2532, 2590, 2591 and 2856 of 2011.

5. In the light of the abovesaid submission of the learned counsel for the petitioners in Crl.O. (MD) Nos. 2527, 2532, 2590, 2591 and 2856 of 2011, this Court without going into the merits of the case, directs the learned Judicial Magistrate No. II, Tirunelveli, to complete the trial in C.C. Nos. 11, 12 and 13 of 2007, within a period of one year from the date of receipt of a copy of this order and the parties are directed to co-operate with the trial Court to complete the trial within the time limit now prescribed by this Court.

With the above directions, these Criminal Original Petitions are disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No. II,
Tirunelveli.

2. The Inspector of Police,
Commercial Crime Investigation Wing,
Thoothukudi, Thoothukudi District.

3. The Inspector of Police,
C.C.I.W., C.I.D.,
Tuticorin.

4. The Deputy Registrar,
Primary Co-operative Bank,
Sayarpuram, Tuticorin.



5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

WEB COPY

Common order in

Crl.O.P.(MD)Nos.12311, 12312 and 12313 of 2014
and 2527, 2532, 2590, 2591 and 2856 of 2011

and

M.P.(MD)Nos.1 of 2011 and 1 of 2013 in Crl.O.P.(MD)No.2527 of 2011
and

M.P.(MD)Nos.1 and 3 of 2011 in Crl.O.P.(MD)No.2532 of 2011
and

M.P.(MD)Nos.1 of 2011 and 1 of 2013 in Crl.O.P.(MD)No.2590 of 2011
and

M.P.(MD)Nos.1 of 2011 and 1 of 2013 in Crl.O.P.(MD)No.2591 of 2011
and

M.P.(MD)Nos.2 and 3 of 2011 in Crl.O.P.(MD)No.2856 of 2011
28.11.2017

VSG/smn2

JM/GT/SAR 4/28.12.2017/4P/6C