



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P. (MD) No.3092 of 2017

Shanmugaiah

: Petitioner/Sole Accused

-Vs-

The State Represented by the
Inspector of Police,
All Women Police Station,
Sankarankovil,
Tirunelveli District.

: Respondent/Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to expedite the disposal of the case pending before the learned Judicial Magistrate, Sankarankovil, in C.C.No.306 of 2014, within the time stipulated by this Court.

For Petitioner : Mr.V.Selva

For Respondent : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)

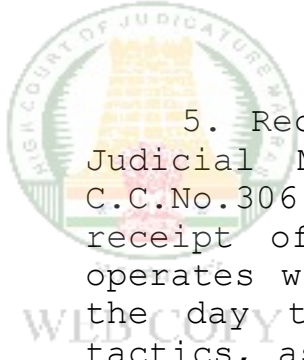
ORDER

The petitioner is facing prosecution in C.C.No.306 of 2014 before the learned Judicial Magistrate, Sankarankovil for offences under Sections 498(A) and 506(i) of the Indian Penal Code. It is the grievance of the petitioner that there are only eight prosecution witnesses cited in the charge sheet, despite which, the trial in the case is prolonging.

2. Today, M/s.Shanthi, Sub-Inspector of Police, Sankarankovil All Women Police Station, is present in Court.

3. Per contra, the learned Government Advocate (Criminal side) submitted that since the petitioner did not appear on 02.11.2016 and 05.01.2017, the prosecution was not able to produce the witnesses.

4. The learned counsel for the petitioner submitted that the petitioner is willing to co-operate with the Trial Court for completion of the trial.



5. Recording the submissions, this Court directs the learned Judicial Magistrate, Sankarankovil, to complete the trial in C.C.No.306 of 2014, within a period of six months from the date of receipt of a copy of this order, provided the petitioner co-operates with the Trial Court by cross-examining the witnesses on the day they are examined in chief without adopting dilatory tactics, as held by the Supreme Court in **Vinod Kumar vs. State of Punjab** reported in **2015 (1) Scale 542**. If the petitioner absconds, a fresh First Information Report can be registered against him under Section 229-A of the Indian Penal Code.

6. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate,
Sankarankovil.

2.The Inspector of Police,
All Women Police Station,
Sankarankovil,
Tirunelveli District.

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

SML

AE/RR/SAR3/06.04.2017/2P/4C

Order made in
CRL.O.P. (MD) No.3092 of 2017
Dated: **22.03.2017**