



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2017

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD) No.3809 of 2017

and Crl.M.P.Nos.2809 and 2808 of 2017

P.Damodaran

... Petitioner/Accused No.1

-vs-

1.The Inspector of Police,
Central Crime Branch
Madurai City, Madurai.
Crime No.27/2007

... 1st Respondent/Complainant

2.M.Naganathan

.. 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records pertaining to the Chargesheet in Chargesheet in C.C.No.117 of 2011 on the file of the learned Judicial Magistrate Court, NO.I, Madurai, in Crime No.27 of 2007 dated 30.03.2007 on the file of the respondent No.1 and quash the same as illegal.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.A.P.Balasubramani for R1

Govt. Advocate (Crl.Side)

O R D E R

When this Court is about to dismiss the criminal original petition, the learned counsel for the petitioner seeks permission of this Court to withdraw the petition. He has also made an endorsement to that effect.

2. Accordingly, this criminal original petition is dismissed as withdrawn. It is seen that this case is pending from the year 2011. There are only 12 witnesses listed in the case. Therefore, this Court directs the Judicial Magistrate, No.I, Madurai, to complete the trial in C.C.No.171/2011 within a period of eight months from the date of receipt of a copy of this order, provided, the accused shall cooperate with the cross examination of the witnesses, on the day, they are examined in chief as held by the Hon'ble Supreme Court in **Vinod Kumar v. State of Punjab** reported in (2015) 3 SCC 220. If the accused adopts any dilatory tactics, they can be remanded to judicial custody in terms of the law laid down in State of **Uttar Pradesh v. Sambunath Singh** reported in **JT (2001) (4) SCC 319**. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-I)



To:

1.The Judicial Magistrate, NO.I,
Madurai District

2.The Inspector of Police,
Central Crime Branch
Madurai City, Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+1 CC to M/s.T.LAJAPATHI ROY, Advocate, SR No. 50196
RR
PSM/JC/18.04.2017/2P/5C

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