



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.04.2017
CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P.(MD)No.5141 of 2017

Umamaheswari

.. Petitioner /
Defacto complainant

Vs.

The Inspector of Police,
S.S.Colony Police Station,
Madurai City.
(Crime No.477/2016)

.. Respondent/complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Judicial Magistrate, Mahila Court, Madurai, to expedite the trial into the above case in P.R.C.No.68 of 2016 on his file within the time stipulated by this Court.

For Petitioner : Mr.M.Dinesh

For Respondent : Mr.A.P.Balasubramani

Government Advocate (Crl.side)

O R D E R

On the complaint lodged by the petitioner, the respondent police registered a case in Crime No.477 of 2016 and after completing the investigation has filed a charge sheet in PRC.No.68 of 2016 before the learned Judicial Magistrate, Mahila Court, Madurai, for offences under Sections 294(b), 323, 506(ii) of IPC., Section 4 of Tamilnadu Prohibition of Women Harassment Act and Section 3 of TNPPDL Act read with Section 34 of IPC., against one Karmegam/A1 and his wife Nagamani/A2. It is stated that the Karmegam/A1 is an advocate and that he is not appearing before the committal Court.

2. Today Mr.T.Pandi, Special Sub Inspector of Police, C-3, S.S.Colony Police Station, Madurai City is present before this Court.

3. Heard learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent.



4. The grievance of the petitioner is that the said Karmegam is not appearing before the learned Judicial Magistrate, Mahila Court, Madurai, for committal proceedings and has been deliberately abstaining himself. The B-Diary extract reads as follows:

" 27.12.2016

Accused absent. Issue fresh summon to accused call on 21.02.2017.

21.02.2017

A1, A2 present. Vakalat filed on behalf of A1, A2 by Adv. Mr.M.Murugaraj for copies. Call on 14.03.2017.

14.03.2017

A1, A2 absent. Petition filed and allowed. For copies call on 28.03.2017.

28.03.2017

A1, A2 absent. Petition filed and allowed. For copies call on 25.04.2017."

5. Thus, from the above, it is clear that the accused did not appear before the Court regularly. Therefore, this Court directs the learned Judicial Magistrate, Mahila Court, Madurai, to ensure the presence of the accused persons and complete the committal proceedings within a period of three months from the date of receipt of a copy of this order. If the accused adopts any dilatory tactics, steps could be taken to cancel his bail.

6. With the above direction this petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1.The learned Judicial Magistrate,
Mahila Court,
Madurai.

2.The Inspector of Police,
S.S.Colony Police Station,Madurai City.

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

+One cc to Mr.M.Dinesh, Advocate, SR.No.54352

PJL/RL/5C/2P/MR/2.5.2017

Order made in
Cr1.O.P. (MD) No.5141 of 2017