



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

Crl.O.P.(MD) No.9045 of 2017

1.Nagaraj
2.Ramesh
3.Ayyanar

... Petitioners/Accused 2,3 & 5

-Vs-

The State, Represented by
The Sub Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(Crime No. 296 of 2013)

... Respondent/Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the Learned Judicial Magistrate, Melur, Madurai District to complete the trial in C.C.No.100 of 2016 within time limit that may be fixed by this Court.

For Petitioners : Mr.S.Ravi
For Respondent : Mr.K.Anbarasan
Government Advocate (Crl.Side)

ORDER

This Criminal Original petition is filed to direct the Learned Judicial Magistrate, Melur, Madurai District to complete the trial in C.C.No.100 of 2016.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent.

3. The learned Counsel for the petitioner submit that a case was registered against the petitioner in Crime No.296 of 2013, on the file of respondent police for the offences punishable under Sections 147, 148, 353, 307 and 379(N.P) IPC and that the same was also taken on file in C.C.No.100 of 2016 on the file of Judicial Magistrate, Melur, Madurai District and no further progress for the past more than 1½ years.



4. The learned Government Advocate, on instructions, submitted that one of the accused is living abroad and that therefore unless the case is split, no progress is possible in the criminal case. Recording the statement of the learned Government Advocate, this Court is inclined to pass the following directions.

"The learned Judicial Magistrate, Melur, Madurai District is directed to complete the trial in C.C.No.100 of 2016 within a period of three months from the date of receipt of a copy of this order. In case, the learned Judicial Magistrate, Melur, Madurai District, find any difficulty to secure the presence of some of the accused, liberty is given to the learned Judicial Magistrate, Melur, Madurai District, to split the case as against the others so to dispose of case the earlier.

5. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar
/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Melur, Madurai District.
2. The Chief Judicial Magistrate,
Madurai.
3. The Sub Inspector of Police,
Keelavalavu Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.S.RAVI, Advocate, SR No. 70105.

CMR/GSP
PSM/JC/SAR4/11.08.2017/2P/6C

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