



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2017

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Cr1.O.P.(MD)No.10043 of 2011
and
M.P.(MD)Nos.1 and 2 of 2011

B.Shanmugam .. Petitioner/Sole Accused

Vs.

State rep. by,
1.The Inspector of Police,
District Crime Branch,
Thanjavur District.
(In Crime No.11 of 2009) .. 1st Respondent/Complainant

2.Renugadevi .. 2nd Respondent/Complainant

3.State Rep. by
The Inspector of Police,
CBCID, Trichy. .. 3rd Respondent

[The third respondent impleaded
as per the order made in M.P.
(MD).No.3/2011 in Cr1.O.P.(MD).
No.10043 of 2011, dated
16.09.2011]

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to C.C.No.1 of 2011, on the file of the learned Judicial Magistrate, Thiruvaiyaru and to quash the same.

For Petitioner : Mr.M.Pitchaimuthu

For Respondent Nos.1 & 3 : Mr.K.Anbarasan
Government Advocate (Cr1.side)

For Respondent No.2 : No appearance



learned Judicial Magistrate, Thiruvaiyaru.

2. Though the learned Counsel appearing for the petitioner raised several grounds for quashing the charge sheet in C.C.No.1 of 2011, on the file of the learned Judicial Magistrate, Thiruvaiyaru, he 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 stipulated by this Court and also to permit the petitioner to raise all the grounds raised in this petition before the trial Court.

3. I have heard the learned Government Advocate (Criminal side) appearing for the first and third respondents, who has also conceded the request of the learned counsel appearing for the petitioner.

4. The learned counsel for the petitioner submitted that since the petitioner is 65 years, he is suffering the age old illness and hence, prays for dispense with the appearance of the petitioner before the trial Court.

5. In the light of the above said submission of the learned counsel for the petitioner, this Court without going into the merits of the case, directs the learned Judicial Magistrate, Thiruvaiyaru, to complete the trial in C.C.No.1 of 2011, within a period of six months from the date of receipt of a copy of this order. The personal appearance of the petitioner was dispensed with by this Court on 16.09.2011 and the same is confirmed, unless the learned Magistrate feels that his presence is required for the disposal of the case. Accordingly M.P.(MD).No.2 is ordered.

6. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected M.P.(MD).No.1 is closed.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate, Thiruvaiyaru.

2.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.K.K.RAMAKRISHNAN,Advocate,SR.91169

Cr1.O.P.(MD)No.10043 of 2011

06.12.2017

pjl

KK/SKN RSK/SAR 3/27.12.2017/ 1P- 4C/