



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.10715 of 2013

and

M.P.(MD)No.1 of 2013

Appavu Naicker ... Petitioner/Sole Accused

Vs.

1.State Rep. by the
Inspector of Police,
District Crime Branch,
Karur District.

(Crime No.22 of 2011) ... Respondent No.1/Complainant

2.Nagarajan ... Respondent No.2/De facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the entire records connected with the proceedings in C.C.No.251 of 2013, pending on the file of the learned Judicial Magistrate No.II, Karur and quash the same as illegal.

For Petitioner : Mr.R.Alagumani

For R-1 : Mr.K.Anbarasan
Government Advocate (Criminal Side)

For R-2 : No Appearance

O R D E R

This Criminal Original Petition has been filed to quash C.C.No.251 of 2013, pending on the file of the learned Judicial Magistrate No.II, Karur.

2.Though the learned counsel for the petitioner raised several grounds for quashing the charge sheet filed by the Law Enforcing Agency, 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.The learned Government Advocate (Crl.Side) appearing for the first respondent would submit that the case is pending before the Anti Land Grabbing Special Cell, Karur District. The respondent police is not able to complete the trial, because of the direction issued by the Hon'ble Apex Court. However, liberty is granted to the respondent to withdraw the case and file the same before the regular Court.

4.Considering the request made by both counsel, permission granted to the respondent police to withdraw the case from the Anti Land Grabbing Special Cell, Karur District and the same has to be filed before the regular Judicial Court within a period of three weeks from the date of receipt of a copy of this Court.

5.In view of the above, this Court without going into the merits of the case, directs the concerned Judicial Magistrate, to complete the trial in C.C.No.251 of 2013, within a period of six months from the date of receipt of a copy of this order and the personal appearance of the petitioner is dispensed with unless the learned Magistrate feels that his presence is required for disposal of the case.

6.With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Karur.
2. The Inspector of Police,
District Crime Branch,
Karur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 cc TO Mr.R.Alagumani , Advocate in SR No. 94943

msa

AE/SV MMS/SAR1/19.01.2018/2P/5C

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