



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.10600 of 2011
and
Crl.M.P.(MD)Nos.1 and 2 of 2011

K.V.Dev ... Petitioner/ Accused No.1

Vs.

The State through

1.The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
(Crime No.234 of 2009)

... Respondent /Complainant

2.S.Jacob Selvaraj

... Respondent / Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in P.R.C.No.26/2009 on the file of the learned Judicial Magistrate, Eraniel, Kanyakumari District and quash the charge framed therein 147, 148, 294(b), 324, 307 IPC.

For Petitioner : Mr.V.Kathirvelu
Senior counsel
for Mr.T.Sekar

For R1 : Mr.K.Anbarasan
Government Advocate (Criminal side)

For R2 : Mr.S.C.Herold Singh

O R D E R

This Criminal Original Petition has been filed to quash P.R.C.No.26 of 2009 in Crime No.234 of 2009, pending on the file of the learned Judicial Magistrate, Eraniel, Kanyakumari District.

2.Though the learned counsel for the petitioner raised several grounds for quashing the charge sheet filed by the 1st respondent 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.I have heard the learned Government Advocate (Criminal side) appearing for the first respondent, who has also conceded the request of the learned counsel for the petitioner.

4.In the light of the abovesaid submission of the learned counsel for the petitioner, this Court without going into the merits of the case, directs the learned Judicial Magistrate, Eraniel, Kanyakumari District, to complete the trial in P.R.C.No.26 of 2009, 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.

5.With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate,
Eraniel, Kanyakumari District .

2.The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
(Crime No.234 of 2009)

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

+1cc to Mr.S.C.Herold Singh Advocate in SR. No. 88354

RMK

JS/KP/SAR.4/8.12.2017/ 2P-5C

Cr1.O.P. (MD)No.10600 of 2011
and

Cr1.M.P. (MD)Nos.1 and 2 of 2011
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