



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2017

CORAM

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P. (MD) No.15399 of 2011
and
Crl.M.P. (MD) .Nos. 2 & 3 of 2011

- 1.Noyal Raj
- 2.Abraham
- 3.Puvaneswari
- 4.Roshma Sharma
- 5.Lucke
- 6.Glaramma
- 7.Vamadevan
- 8.Dasan Vaithiyar
- 9.Gopi
- 10.Robi
- 11.John
- 12.Nagarajan

... Petitioners/Accused 1 to 12

-Vs-

- 1.State represented by,
The Deputy Superintendent of Police,
Colachel Sub Division,
Kanyakumari District.

...1st Respondent/Complainant

- 2.Prema

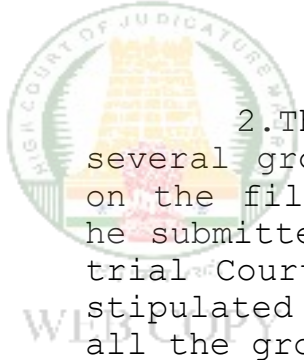
... 2nd Respondent/Defacto
Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C, to call for records pertaining to the Charge Sheet in C.C.No.5 of 2007, on the file of the learned Judicial Magistrate No.II, Kuzhithurai and quash the same.

For Petitioners : Mr.M.Suresh
For Respondent No.1 : Mr.K.Anbarasan
Government Advocate (Crl.side)
For Respondent No.2 : Mr.M.Gnanagurunathan

O R D E R

This Criminal Original Petition has been filed to quash the charge sheet in C.C.No.5 of 2007, pending on the file of the learned Judicial Magistrate No.II, Kuzhithurai.



2. Though the learned counsel for the petitioners raised several grounds for quashing the charge sheet in C.C.No.5 of 2007, on the file of the learned Judicial Magistrate No.II, Kuzhithurai, 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 petitioners to raise all the grounds raised in this petition before the trial Court.

3. I have heard the learned counsel appearing for the petitioners, the learned counsel appearing for the second respondent and the learned Government Advocate (Crl.side) appearing for the first respondent.

4. In the light of the above said submission made by the learned counsel for the petitioners, this Court, without going into the merits of the case, directs the learned Judicial Magistrate No.II, Kuzhithurai, to complete the trial in C.C.No.5 of 2007, within a period of six months from the date of receipt of a copy of this order, if the trial is not yet completed. The personal appearance of the petitioners 1 to 4 , 6 and 8, before the trial Court is dispensed with, unless the learned Magistrate feels that their presence is required for disposal of the case. The other petitioners are required to appear before the trial Court for all hearing dates without fail.

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

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Kuzhithurai.
2. The Deputy Superintendent of Police,
Colachel Sub Division,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

PJL

TE/MR-KKR/SAR-2 : 11/12/2017 : 2P/4C
<https://hcservices.ecourts.gov.in/hcservices/>

Crl.O.P. (MD) No.15399 of 2011
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(2/2)