



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CrI.O.P. (MD) No.7673 of 2011

and

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

1.C.Amirtharaj

2.Leon A.Dharmaraj

3.Justus

4.V.John Bosco

... Petitioners/Accused 1 to 4

Vs.

The Sub Registrar

Eraniel,

Kanyakumari District.

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to C.C.No.41 of 2010 on the file of the learned District Munsiff cum Judicial Magistrate, Eraniel and quash the same.

For Petitioners : Mr.C.K.M.Appaji

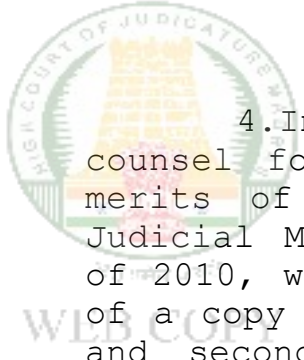
For Respondent : Mr.K.Anbarasan
Government Advocate (Criminal side)

O R D E R

This Criminal Original Petition has been filed to quash C.C.No.41 of 2010, pending on the file of the learned District Munsiff cum Judicial Magistrate, Eraniel.

2.Though the learned counsel for the petitioners raised several grounds for quashing the proceeding in C.C.No.41 of 2010, 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 Government Advocate (Criminal side) for the respondent, who has also conceded the request of the learned counsel for the petitioners.



4. In the light of the above said submission of the learned counsel for the petitioners, this Court without going into the merits of the case, directs the learned District Munsiff cum Judicial Magistrate, Eraniel, to complete the trial in C.C.No.41 of 2010, within a period of three months from the date of receipt of a copy of this order and the personal appearance of the first and second petitioners are dispensed with unless the learned Magistrate feels that their 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(Records)

/True Copy/

Sub Assistant Registrar

To

1. The District Munsiff cum Judicial Magistrate,
Eraniel.
2. The Sub Registrar
Eraniel,
Kanyakumari District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.

+ 1 cc TO Mr.C.K.M.Appaji , Advocate in SR No. 87683

cp/mm

AE/KK/SAR2/29.11.2017/2P/6C

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