



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2017

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Cr1.O.P. (MD) No.3061 of 2013

and

M.P. (MD) Nos.1 and 2 of 2013

1.M.Samayan
2.S.Jegankumar
3.S.Madankumar
4.S.Muthuleetchumi ... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep. by its Inspector of Police,
Thirunagar Police Station,
Madurai District.
(Crime No.430 of 2011)

2.K.Kannan ... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the charge sheet in C.C.No.293 of 2012, pending on the file of the Judicial Magistrate Court No.VI, Madurai, in Crime No.430 of 2011, on the file of the first respondent police, dated 08.10.2011, for the alleged offences under Sections 325, 294(b), 326 and 506(ii) IPC.

For Petitioners : Mr.Pinay Gash
for Mr.T.Lajapathi Roy
For R1 : Mr.M.Murugan
Government Advocate
For R2 : Mr.R.Santhanam

O R D E R

This Criminal Original Petition has been filed to quash the charge sheet in C.C.No.293 of 2012, pending on the file of the Judicial Magistrate Court No.VI, Madurai, in Crime No.430 of 2011, on the file of the first respondent police, dated 08.10.2011, for the alleged offences under Sections 325, 294(b), 326 and 506(ii) IPC.

2.Though the learned counsel for the petitioners raised several grounds for quashing the charge sheet, 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. He further submitted that now the first petitioner is aged about 62 years and the fourth petitioner, who is aged about 50 years, is suffering due to continuous illness and therefore, their personal appearance may be dispensed with.

3.This Court heard the learned Government Advocate appearing for the first respondent and the learned counsel for the second respondent on the abovesaid submissions made by the learned counsel for the petitioners.

4.In the light of the abovesaid submissions of the learned counsel for the petitioners, this Court, without going into the merits of the case, directs the learned Judicial Magistrate No.VI, Madurai, to complete the trial in C.C.No.293 of 2012, within a period of six months from the date of receipt of a copy of this order. Considering the submission made by the learned counsel for the petitioners that now the first petitioner is aged about 62 years and the fourth petitioner, who is aged about 50 years, is suffering due to continuous illness, I am inclined to dispense with their personal appearance. Accordingly, the personal appearance of the petitioners 1 and 4 is dispensed with unless the learned Magistrate feels that their presence is required for the disposal of the case.

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

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate No.VI,
Madurai.
- 2.The Inspector of Police,
Thirunagar Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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