



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P. (MD) No.8413 of 2011

and

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

1.Dr.S.Chandrika

2.Dr.K.Subbaraman

... Petitioners/Accused Nos.1 & 2

Vs.

1. The State rep. by,
The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
(Crime No.220 of 2009)

... Respondent/Complainant

2.Dr.R.Rama Dass

... Respondent/1st Informant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the entire records pertaining to the case in C.C.No.223 of 2011 pending on the file of the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District and quash the same.

For Petitioners : Mr.Balaji for M/s.R.Anand

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

For R2 : Mr.R.Murali

O R D E R

This Criminal Original Petition has been filed to quash C.C.No.223 of 2011 in Crime No.220 of 2009, pending on the file of the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District.

2.Though the learned counsel for the petitioners raised several grounds for quashing the charge sheet filed by the 1st respondent/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 petitioners to raise all the grounds which was 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 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 Judicial Magistrate No.II, Nagercoil, Kanyakumari District, to complete the trial in C.C.No.223 of 2011, within a period of six months from the date of receipt of a copy of this order and also considering the age, the personal appearance of the 2nd petitioner/ Accused no.2 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, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Nagercoil,
Kanyakumari District.
2. The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 cc TO Mr.R.Anand , Advocate in SR No. 86103
+ 1 cc TO Mr.R.Murali , Advocate in SR No. 85757

vsa/rmi

AE/KP/SAR2/20.11.2017/2P/6C