



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.6986 of 2013

and

M.P.(MD)No.1 of 2015

1.S.Sethurajan

2.S.Rajesh

3.S.Sathish

... Petitioners/Accused Nos. 5 to 7

Vs.

1.The State Rep. by its

Sub-Inspector of Police,

Kovilpatti West Police Station,

Tuticorin District.

(Crime No.217 of 2008)

...1st Respondent/Complainant

2.P.Ayyammal

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.51 of 2013, on the file of the Judicial Magistrate Court No.II, Kovilpatti, and quash the entire proceedings.

For Petitioners : Mr.P.Subbaraj

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

For R2 : No Appearance

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.51 of 2013, on the file of the Judicial Magistrate Court No.II, Kovilpatti, Tuticorin District.

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 since the second petitioner is working in Thiruppur on daily wage basis and the third petitioner is working in a L & T Company at Chennai, their personal appearance may be dispensed with.



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 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.II, Kovilpatti, Tuticorin District, to complete the trial in C.C.No.51 of 2013, 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 petitioner that since the second petitioner is working in Thiruppur on daily wage basis and the third petitioner is working in a L & T Company at Chennai, I am inclined to dispense with their personal appearance. Accordingly, the personal appearance of the petitioners 2 and 3 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 petition is closed.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate No.II,
Kovilpatti,
Tuticorin District.
- 2.The Sub-Inspector of Police,
Kovilpatti West Police Station,
Tuticorin District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.P.SUBBARAJ Advocate in SR. No. 94050

SMN2

JS/SV.MMS/SAR.2/03.01.2018/2P-5C