

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No. 9347 of 2018

Murali

...Petitioner/Accused-1

Vs.

State rep. by its
Inspector of Police,
All Women (West) Police Station,
Coimbatore,
Coimbatore District.

...Respondent/ Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Additional Mahila Court, Magistrate Level, Coimbatore, to expedite the trial in C.C.No.35 of 2016 within a stipulated fixed by this Court.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for a direction the learned Additional Mahila Court, Magistrate Level, Coimbatore, to expedite the trial in C.C.No.35 of 2016 within a stipulated fixed by this Court.

2. It is seen from records that the marriage was solemnized between the petitioner and the defacto complainant on 13.02.2014. Subsequently, the marriage ran into rough weather. Thereafter, she left the matrimonial home on 29.03.2014. After a few months, the defacto complainant lodged a complaint before the respondent police and the respondent Police registered the FIR in Crime No.15 of 2014 for an offence under Section 498 (A) of IPC and 4 of TNPWH Act against the petitioner and his family members. The respondent filed a charge sheet before the Magistrate Court on 23.08.2016 and the same has been taken on file by the learned Additional Mahila Court, Magistrate Level, Coimbatore, in C.C. No.35 of 2016.

3. The learned counsel for the petitioner would submit that the trial in this case was pending for the past two years. He would further submit that though the petitioner and his family members are appearing before the Court below, the defacto complainant till date is not appearing before the Court below and therefore, the case is being adjourned time and again and the trial itself has not effectively started in this case.

4. Taking into consideration the facts of the case, there shall be a direction to the learned Additional Mahila Court, Magistrate Level, Coimbatore, to dispose of the case in C.C.No.35 of 2016 within a period of three months from the date of receipt of copy of this order.

5. With the above direction, the Criminal Original Petition is disposed of.

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Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
All Women (West) Police Station,
Coimbatore,
Coimbatore District.
2. The Public Prosecutor,
High Court, Madras.

+1CC TO Mr.W.Camyles Gandhi, Advocate, SR.NO.82383.

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GJ(CO)
KAK(17/12/2018)