

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.23869 of 2017

S.Thiagarajan
S/o.A.Shanmugam

.. Petitioner

Vs

1. A.Shanmugam
S/o.Arumuga Achari

2. Malathi
Sub Inspector
P-4 Basin Bridge Police Station
Chennai.
Presently at
Central Crime Branch
Police Commissioner Office
Vepery, Chennai-600 007.

3. Kothandapani
Head Constable
P-4 Basin Bridge Police Station,
Chennai.
Now presently at
T-2, Ambattur Estate Police Station
Chennai.

4. Rajasekar (YB-0376)
P-4 Basin Bridge Police Station,
Chennai.
Now Tamil Nadu Special Police Force

5. Kathirvelu
Sub Inspector
P-4 Basin Bridge Police Station
Chennai.

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the learned X Metropolitan Magistrate, Allikulam, Chennai to dispose the C.C.No.6249 of 2016 on the file of the learned X Metropolitan Magistrate, Allikulam, Chennai, within the stipulated time.

For Petitioner : Mr.K.P.Chandrasekaran

For Respondents: Mr.J.R.K.Bhavanantham for R1

R2 to R5 - No appearance.

O R D E R

This Criminal Original Petition has been filed seeking to direct the X Metropolitan Magistrate, Allikulam, Chennai to dispose C.C.No.6249 of 2016 on the file of the X Metropolitan Magistrate, Allikulam, Chennai.

2. The petitioner has filed a private complaint in C.C.No.6249 of 2016 against the respondents before the X Metropolitan Magistrate, Allikulam, Chennai and thereafter, filed the present petition for a direction to complete the trial within a stipulated time.

3. In the opinion of this Court, a direction to the trial Court to complete the trial in a private complaint case within the time bound manner cannot be issued, because in a private complaint case, the sworn statement of the complainant and the witnesses should be recorded and thereafter, evidence should be recorded under Section 244 of Cr.Pc. and only thereafter, the trial Court can proceed further. However, the trial Court is directed to complete the enquiry in C.C.No.6249 of 2016 as expeditiously as possible.

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

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

mk
To

1. The X Metropolitan Magistrate, Allikulam.

2. -do- Through The Chief Metropolitan Magistrate, Egmore, Chennai-8.

+ 1 cc to Mr.K. P. Chandrasekaran, Advocate Sr.24424
+ 1 cc to Mr. J.R.K. Bhavanantham, Advocate Sr.24355

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(CS-VI)
EU(12/04/2018)