

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.14772 of 2018

B.Arumugam,  
Special Sub-Inspector of Police,  
P-6, Kodungaiyur Police Station,  
Kodungaiyur,  
Chennai-600 118 .. Petitioner

Vs

G.Parthasarathy .. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to prescribe a time frame to conclude the trial in C.C.No.203 of 2015 on the file of X Metropolitan Magistrate, Egmore at Allikulam.

For Petitioner : Mr.M.R.Sheik Abdul Rahim

For Respondent : Mr.C.Iyyappa Raj, APP

O R D E R

This Criminal Original Petition has been filed to direct the learned X Metropolitan Magistrate, Egmore to conclude the trial expeditiously in C.C.No.203 of 2015.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent.

3.One Parthasarathy, who is a practicing Advocate has filed a private complaint in CC.No.203 of 2015 before the learned X Metropolitan Magistrate, Egmore, Chennai, against Arumugam, Special Sub Inspector of Police, for the offences, under Section 294[b], 506[ii] and 217 IPC. While so, Arumugam has filed the present petition with the above prayer.

4.Pursuant to the directions of this Court, the learned X Metropolitan Magistrate, Egmore has sent a report dated 27.06.2018, wherein, she has stated as follows:

"After the case was posted for complainant side evidence, the complainant not appeared before this court for some hearings. Hence, court notice issued to the complainant and the complainant was appeared before this court and examined himself as PW1 on 09.02.2018. Now, the case is posted for complainant side further evidence 29.06.2018. I further humbly submit that despite best efforts by this court the case could not be disposed of for the above said reasons."

5.From a reading of the report, it is obvious to this Court that the complainant is deliberately delaying the case by not producing his witnesses. That apart, it is seen that on the complaint given by Banu (sister in law of Parthasarathy), Arumugam, the Sub Inspector of Police has registered a case in P6 Kodungaiyur Crime No.1603 of 2014 on 08.08.2014 against Saroja (mother of Parthasarathy) and Suchitra (sister of Parthasarathy). After completing investigation, Charge Sheet has been filed against Saroja and Suchitra in CC.No.723 of 2015 before the learned X Metropolitan Magistrate, Egmore and the same is pending.

6.In the opinion of this Court, the present prosecution in CC.No.203 of 2015 appears to be a counterblast for CC.No.723 of 2015. Hence, the trial Court is directed to complete the trial in C.C.No.203 of 2015 within a period of one month from the date of receipt of a copy of this order and if the complainant does not cooperate, the complaint may be dismissed in limine. The trial in C.C.No.723 of 2015 shall not be linked with the trial in C.C.No.203 of 2015.

With the above direction, this petition is closed.

Sd/-  
Deputy Registrar

//True Copy//

Sub Assistant Registrar

gya

To

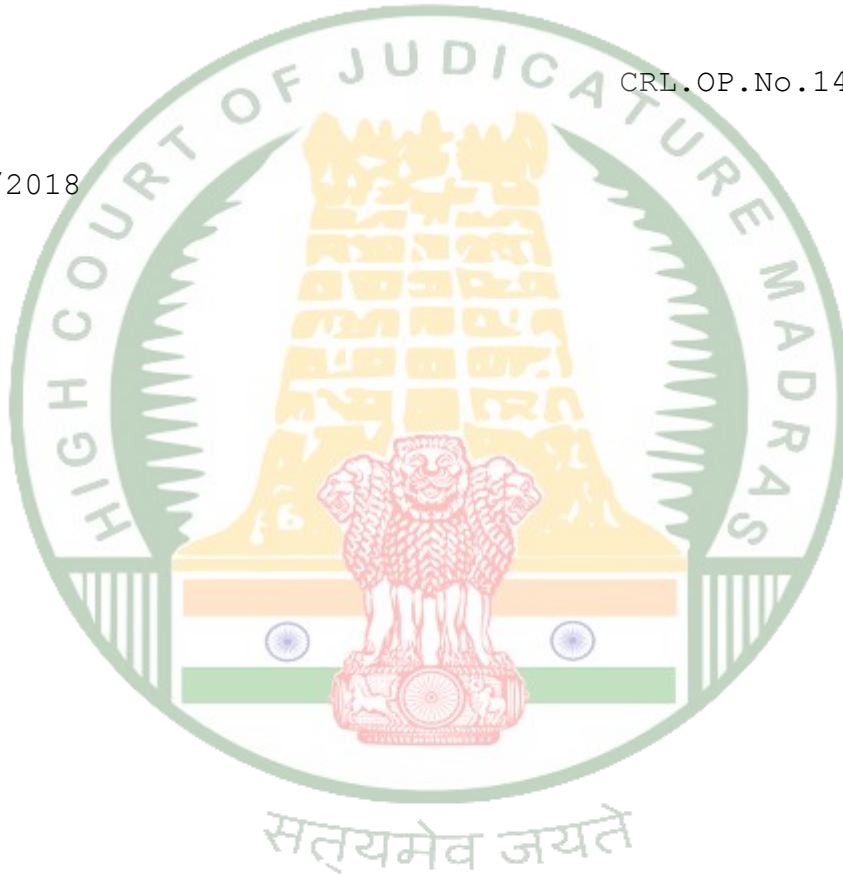
1.X Metropolitan Magistrate,  
Egmore, Chennai.

2.The Public Prosecutor,  
High Court, Madras.

+2cc to Mr.M.R.Sheik Abdul Rahim, Advocate Sr.52661

CRL.OP.No.14772 of 2018

srg 13/08/2018



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