

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.23779 of 2018

and

CRL.M.P.Nos.13442 & 13445 of 2018

E.R.Sivaraja

.. Petitioner

Vs

K.Ramachandran Kurup

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., praying to call for records Private complaint in C.C.No.2099 of 2007 on the file learned XIV Metropolitan Magistrate, Egmore, Allikulam, Chennai.

For Petitioner : Mr.P.N.Veeramani

O R D E R

The petitioner is facing a prosecution for an alleged offence under Section 500 IPC in C.C.No.2099 of 2007 before the XIV Metropolitan Magistrate, Egmore, Chennai. It is the grievance of the petitioner that three witnesses were examined by the complainant and thereafter, for the last 10 years, there has not been any progress in the trial. Hence, the petitioner is before this Court for quashing the prosecution.

2.Heard Mr.Veeramani, learned counsel for the petitioner, who reiterated the above submission.

3.On a perusal of the adjudication orders, it is seen that the complainant is absent continuously, but whereas, the petitioner is regularly appearing before the trial Court. That apart, A1 is in abscondance. Since a trial for an offence under Section 500 IPC is a summons procedure, it is open to the trial Court to dismiss the same under Section 256 Cr.P.C or stop the proceedings under Section 258 Cr.P.C.

4.Recording the same, this Court directs the trial Court to complete the proceedings in C.C.No.2099 of 2007, within three months from the date of receipt of a copy of this order, failing which, liberty is given to the petitioner to approach this Court again.

With the above direction this petition is closed.
Consequently, connected miscellaneous petitions are also closed.

dua

Sd/-
Asst.Registrar (CS IX)

/true copy/

Sub Asst. Registrar

To

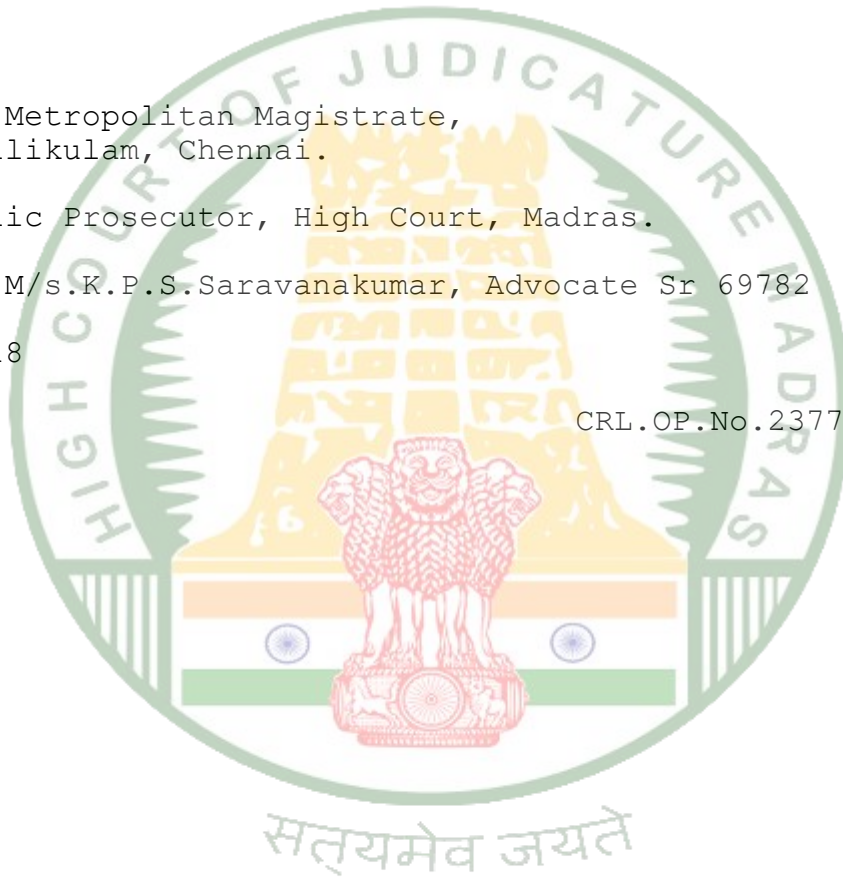
1.The XIV Metropolitan Magistrate,
Egmore, Allikulam, Chennai.

2.The Public Prosecutor, High Court, Madras.

+ 1 cc to M/s.K.P.S.Saravanakumar, Advocate Sr 69782

KR/12/11/18

CRL.OP.No.23779 of 2018



WEB COPY