



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.(MD)No.1150 of 2014
and
M.P.(MD).Nos.1 & 2 of 2014

M/s.Areef Transports
No.68, Mama Thampi Maraikayar Street
Karaikal, Pondicherry
Through its Proprietor Mr.Shajahaan

... Petitioner

Vs.

M/s.Rasool Transports
Fleet Owner & Transport Contractor
Pudhukottai Main Road
Gantharvakottai
through its Proprietor Abdul Mazeed

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in relating to the proceedings in S.T.C.No.4 of 2012 on the file of the Judicial Magistrate Court, Pudhukottai and to quash the same.

For Petitioner : Mr.T.Arul
For Respondent : Mr.K.Balasundaram

O R D E R

This Criminal Original Petition has been filed to call for the records in relating to the proceedings in S.T.C.No.4 of 2012 on the file of the Judicial Magistrate Court, Pudhukottai and to quash the same.

2.Though the learned counsel for the petitioner raised several grounds for quashing the proceedings in S.T.C.No.4 of 2012, 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 petitioner to raise all the grounds raised in this petition before the trial Court. He further submitted that the petitioner is coming from Pondicherry. Hence, he requested the appearance of the petitioner may be dispensed with before the Trial Court.



3. Heard the learned counsel appearing for the respondent.

4. In the light of the above said submissions of the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, directs the learned Judicial Magistrate, Pudukkottai to complete the trial in S.T.C.No.4 of 2012, within a period of six months from the date of receipt of a copy of this order. This Court directs that the trial magistrate shall insist on the appearance of the petitioner herein only for answering the charges and at the time of examination under Section 313 of Cr.PC and at the time of pronouncing judgement. Except the aforesaid occasions, on other hearing dates the petitioner can be permitted to be represented through counsel.

5. With the above directions, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar (CS-II)

To

The Judicial Magistrate
Pudukkottai.

MSA
KK/SKN/SAR-2 : 24/10/2018 : 2P/2C

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