



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.10002 of 2017

T.Ratheesh .. Petitioner/Accused No.4

-Vs-

1.The Deputy Superintendent of Police,
Colachel Division,
Colachel, Kanyakumari District. .. 1st Respondent

2.Mani @ Jeyasing,

3.Selvan

4.Kili @ Arun

5.Subin

6.Vibin

7.Princs .. Respondents/Accused 1,2,3,5,6,7

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the Principal District Munsif cum Judicial Magistrate, Eraniel to split the case against the petitioner in P.R.C.No.7 of 2010 and committal the case to the 2nd Additional Sessions Judge cum PCR Court, Tirunelveli within a stipulated time fixed by this Court.

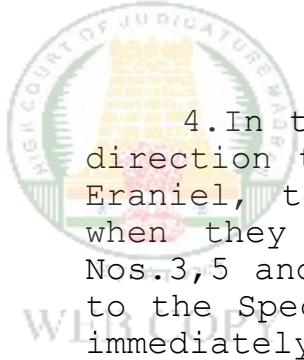
For Petitioner : Mr.C.Sankar Prakash
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

ORDER

This petition has been filed for a direction to the Court below to split up the case and conduct the case insofar as the accused person who have appeared before this Court.

2.The petitioner is arrayed as A4. A final report has been filed and the same has been taken on file in P.R.C.No.7 of 2010 by the Judicial Magistrate, Eraniel for the offences under Sections 147, 148, 294(b), 427, 452, 324, 506(ii) of IPC and Section 3(i) (X) (I) (XV) SC/ST Act and 3(i) of PPDL Act, 1992.

3.The learned Government Advocate (Crl. Side) would submit that the summon has been served on Accused Nos.1,2,4 and 7 and Accused Nos.3,5,6 are absconding accused. The case is in the PRC stage from the year 2010 onwards. The final report was filed in this case in the year 2010 and it has been pending in the very same state for the last eight years.



4. In the facts and circumstances of the case, there shall be a direction to the Principal District Munsif-cum-Judicial Magistrate, Eraniel, to issue copies of documents to Accused Nos.1,2,4 and 7 when they appear on 27.09.2018 and thereafter show the Accused Nos.3,5 and 6 as absconding accused and commit the case immediately to the Special Court, Tirunelveli. The Special Court, Tirunelveli, immediately on receipt of the case papers shall split up the case and proceed further with the framing of charges and trial insofar as the Accused Nos.1,2,4 and 7 are concerned and complete the proceedings as expeditiously as possible.

5. Accordingly, this Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The IIInd Additional Sessions Judge-Cum-PCR Court, Tirunelveli.

2. The Principal District Munsif-Cum-Judicial Magistrate, Eraniel.

3. The Deputy Superintendent of Police, Colachel Division, Colachel, Kanyakumari District.

4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.C.SANKAR PRAKASH, ADVOCATE IN S.R.NO.83935.

TM

DS SV SAR-1:24.09.2018: 2P/6C

CRL.O.P. (MD) No.10002 of 2017
11.09.2018