



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2018

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P. (MD) No.8875 of 2015

and

M.P. (MD) .No.1 of 2015

Mariappan

...Petitioner/1st Respondent

Vs.

Muthulakshmi

...Respondent/Petitioner

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in relating to the proceedings in D.V.O.P.No.30 of 2013, on the file of the learned Judicial Magistrate No.I, Sivagangai and quash the same.

For Petitioner: Mr.M.S.Jeyakarthik

ORDER

This Criminal Original Petition has been filed to quash the criminal proceedings in D.V.O.P.No.30 of 2013, on the file of the learned Judicial Magistrate No.I, Sivagangai.

2. Though the learned counsel for the petitioner raised several grounds for quashing the proceedings in D.V.O.P.No.30 of 2013, 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. Hence, he requested the appearance of the petitioner may be dispensed with before the Trial Court.

3. 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 No.I, Sivagangai, to complete the trial in D.V.O.P.No.30 of 2013, 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.



4. With the above directions, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

WEB COPY

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar (CS-III)

To

The Judicial Magistrate No.I, Sivagangai.

+ 1 CC TO MR.M.S.JEYAKARTHIK, ADVOCATE IN SR NO.91171

SJI

BU/VB/PM/SAR-III :22.11.2018 : 2P/3C

Cr1.O.P.(MD) No.8875 of 2015

and

M.P.(MD) .No.1 of 2015

22.10.2018