



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2018

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

CRL.O.P. (MD) No.17949 of 2017

and

Crl.M.P (MD) Nos.11723 & 11724 of 2017

1.Rajendra Prasath

2.Jeba

3.Robin Jose

... Petitioners/Accused Nos. 2 to 4

-Vs-

1. State rep. by

The Inspector of Police,
All Women Police Station,
Kuzhithurai,
Kanyakumari District,
In Crime No.23 of 2013.

...1st Respondent/Complainant

2. K.John

... 2nd Respondent/Defacto
Complainant

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the charge sheet filed in C.C.No.49 of 2014 pending before the Learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District in so far as Petitioners/Accused Nos.2,3 & 4 are concerned and quash the same.

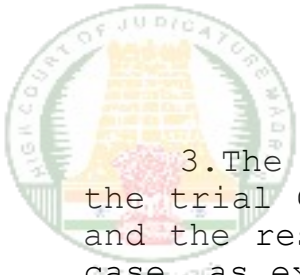
For Petitioner : Mr.G.Ramanathan

For R1 : Mr.Prabhu Ramachandran,
Government Advocate (Crl.side)

ORDER

This petition has been filed praying to call for the records pertaining to the charge-sheet filed in C.C.No.49 of 2014 pending before the Learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District in so far as Petitioners/Accused Nos.2,3 & 4 are concerned and quash the same.

2.The learned counsel appearing for the petitioner would submit that the case has been registered on 10.07.2013 and after the investigation, charge-sheet has been filed and the same was taken on file in C.C.No.49 of 2014, dated 05.08.2013. He further submitted that the first petitioner is the senior citizen and the petitioners 2 & 3 are residing at Thirupachur, Thiruvallur District and therefore, it is very difficult for the petitioners to attend the case in C.C.No.49 of 2014 for each and every hearing from Thirupachur to Kuzhithurai.



3.The learned Government Advocate (Crl.side) would submit that the trial Court had served the summons to the prosecution witnesses and the respondent will co-operate for the trial and dispose of the case, as expeditiously as possible.

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4.Though the Criminal Original petition is filed for a larger relief, seeking to quash the charge sheet in C.C.No.49 of 2014 in respect of the petitioners, the learned counsel appearing for the petitioners in the course of his argument, restricted his relief to direct the learned Judicial Magistrate No.I, Kuzhithurai to complete the trial within the time frame as may be fixed by this Court.

5.Taking note of the aforesaid facts and the submissions made by both sides, this Court is inclined to direct the learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District to dispose of the C.C.No.49 of 2014, as expeditiously as possible, preferably, within a period of four months from the date of receipt of a copy of this order. In the meantime, the personal appearance of the petitioner is dispensed with. However, the petitioner shall appear before the Court below, as and when, the Court insist upon his appearance.

6.With the above directions, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.I,
Kuzhithurai.
2. The Inspector of Police,
All Women Police Station,
Kuzhithurai,
Kanyakumari District,
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.G.Ramanathan, Advocate, SR.No. 71419

CRL.O.P.(MD)No.17949 of 2017
05.07.2018

AM