



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2018

CORAM

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRL.O.P. (MD) No. 9861 of 2018

and

Crl.M.P. (MD) .Nos. 4405 and 4406 of 2018

Kaaturaja

.. Petitioner/Sole Accused

Vs.

1. The Inspector of Police,
Kombai Police Station,
Theni District.
(Crime No. 14/2016)

.. 1st Respondent/Complainant

2. M. Megala @ Manimegalai

.. 2nd Respondent/ Defacto
Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records pertaining to C.C.No.85 of 2017 on the file of the learned District Munsif cum Judicial Magistrate, Bodinayakkanur, Theni District and quash the same.

For Petitioner : Mr.S.Muthalraj

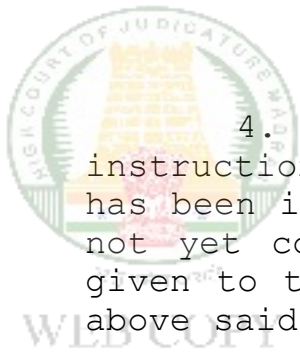
For Respondent No.1 : Mr.Prabhu Ramachandran
Government Advocate (Criminal side)

O R D E R

This petition is filed to quash the proceedings in C.C.No. 85 of 2017 on the file of the learned District Munsif cum Judicial Magistrate, Bodinayakkanur, Theni District.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the State.

3. According to the petitioner, no commission of offence is made out against the petitioner and the above said case has been registered in Crime No.14 of 2016 for the offences punishable under Sections 323 and 506(i) of IPC., and Section 4 of TNWH Act. Thereafter, the charge sheet was taken on file in C.C.No.85 of 2017 by the learned District Munsif cum Judicial Magistrate, Bodinayakkanur, Theni District. He further submitted that the said case was pending for the past two years without any progress. Hence, the petitioner has come up with this petition to quash the above said C.C.No.85 of 2017.



4. The learned Government Advocate (Criminal side), on instructions, would submit that in the above said case, summons has been issued to the prosecution witness and hence, the trial is not yet completed. He further submitted that a direction may be given to the trial Court to complete the trial and dispose of the above said case in C.C.No.85 of 2017 within a time frame.

5. In the light of the above, the learned District Munsif cum Judicial Magistrate, Bodinayakkanur, Theni District is directed to dispose of C.C.No.85 of 2017 as expeditiously as possible, preferably, within a period of four months from the date of receipt of the copy of this order.

6. With the above direction, the Criminal Original Petition is disposed of. In the meantime the personal appearance of the petitioner in C.C.No.85 of 2017 on the file of the learned District Munsif cum Judicial Magistrate, Bodinayakkanur, Theni District is dispensed with and the petitioner is directed to appear before the trial Court as and when required by the Trial Judge. Accordingly, Crl.M.P.(MD).No.4406 of 2018 is ordered. Consequently, connected Crl.M.P.(MD).No.4405 of 2018 is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The District Munsif cum Judicial Magistrate,
Bodinayakkanur,
Theni District.
2. The Inspector of Police,
Kombai Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.Na.Palaniyandi, Advocate Sr.No.69234

PJL

VB/KKR/SAR3/05.07.2018/2P/5C

CRL.O.P. (MD) No.9861 of 2018
21.06.2018