



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.09.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1 OP(MD)No.5064 of 2016

R.Bharagthwaj

... Petitioner

Vs.

The State represented by

1.The Commissioner of Police,
Madurai City.

2.The Inspector of Police,
C1 Thideer Nagar Police Station,
Madurai City.
[Crime No.957 of 2013]

...Respondents

PRAYER:- Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate No.1, Madurai to dispose the case in CC No.16 of 2015 by taking suitable action for securing the absconding accused through the respondent Police within a stipulated time.

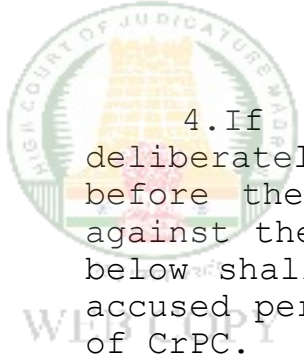
For Petitioner : Mr.S.Vinodh sathya Lazar
For Respondents : Mr.K.Suyambulinga Bharathi,
Government Advocate.

ORDER

This petition has been filed for a direction to the Court below to dispose of the case in CC No.16 of 2015.

2.It is seen from records that initially A-1, A-2 and A-5 were not appearing before the Court and the respondent Police were not able to complete the service of the summons on them. Subsequently, the respondent Police were able to serve summons on them and they have appeared through Counsel, who has filed the above petition under Section 317 of CrPC to dispense with their appearance.

3.It is now reported by the learned Government Advocate that A-3 and A-4 are not appearing before the Court regularly. The Court below has posted the case on 01.11.2018, directing all the accused persons to be present before the Court for the purpose of framing of charges.



4.If the Court below finds that the accused persons are deliberately protracting the proceedings and failing to appear before the Court, a direction can be given to register an FIR against the accused persons under Section 229 (A) of IPC. The Court below shall also take steps to cancel the bail bond given by the accused persons and proceed further in accordance with Section 446A of CrPC.

5.If the accused persons regularly appear before the Court, the Court below is directed to complete the proceedings within a period of three months from the date of receipt of a copy of this order. The trial Court shall conduct the case on a day to day basis and the proceedings will have to be completed within the time stipulated by this Court.

6.The Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-II)

To

- 1.The Judicial Magistrate -I,
Madurai
- 2.The Commissioner of Police,
Madurai City.
- 3.The Inspector of Police,
C1 Thideer Nagar Police Station,
Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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