



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.R.C(MD)No.509 of 2018

and

Crl.M.P(MD).No.7013 of 2018

S.Suthan

: Petitioner/Accused No.6

Vs.

The Inspector of Police,
Crime Branch CID,
Kaniyakumari District at Nagercoil.
(Crime No.868 of 2010)

: Respondent

PRAYER: Revision filed under Section 397 read with Section 401 of the Code of Criminal Procedure, to call for the records in Crl.M.P.2989 of 2018 in S.C.No.600 of 2017 dated 10.08.2018 on the file of the learned Principal Sessions Judge, Tirunelveli and set aside the same.

For Petitioner : Mr.P.Andiraj

For Respondent : Mr.A.Robinson
Government Advocate

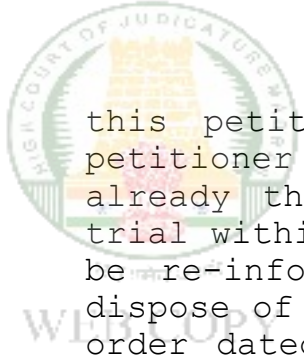
ORDER

Heard the learned counsel appearing for the revision petitioner.

2.The contention of the petitioner herein is that the petitioner, who was arrayed as A6, was a juvenile at the time of the occurrence. In support of that he has relied upon the birth certificate issued by the Corporation, School Certificate and Baptism Certificate issued by the Church. The trial Court has gone into the veracity of those certificates and has found that the birth certificate, which is more reliable in normal course, though indicates the date of birth of the accused as 20.07.1992, the same has not been prepared immediately after the birth of the accused petitioner, but, subsequent to the registration of the case, in pursuant to the order passed by the Judicial Magistrate under Birth and Death Act. The manner in which that order was passed is now being considered by this Bench of our High Court and pursuant to the order passed by the High Court, the Government has passed an Act and procedure is now being adopted. In the said circumstances, the trial Court has disbelieved Ex.P.1-birth certificate issued by the Corporation, which came into existence subsequent to the registration of this case.

<https://hcservices.ecourts.gov.in/hcservices/>

3.In the light of the above fact, this Court find no merit in



this petition. The learned counsel appearing for the revision petitioner as well as the defacto complainant would submit that already this Court has directed the trial Court to complete the trial within a period of six months from 28.02.2018 and same has to be re-inforced. Therefore, the trial Court may be directed to dispose of the case within the time fixed by the Court by an earlier order dated 28.02.2018 in CrI.R.C(MD).No.117 of 2018. Reiterating the said time limit, the Criminal Revision Case is disposed of. Consequently, connected Miscellaneous Petition is closed.

Sd/
Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar(CS-I)

To

- 1.The Principal Sessions Judge,
Tirunelveli.
- 2.The Inspector of Police,
Crime Branch CID,
Kaniyakumari District at Nagercoil.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.R.C (MD) No.509 of 2018
and
CrI.M.P (MD) .No.7013 of 2018
05.09.2018

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