



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.17047 of 2018

and

Crl.M.P.(MD) Nos.7543 and 7544 of 2018

J.Ganapathy

... Petitioner/Accused

Vs.

1. The State of Tamil Nadu,
Rep. by the Inspector of Police,
District Crime Branch,
Thanjavur, Thanjavur District.

2. The Sub Divisional Inspector (Postal),
Kuthalam Sub Division,
Kuthalam-609801,
Nagapattinam District.

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the Charge Sheet in C.C.No.172 of 2000 on the file of the learned Judicial Magistrate, Kumbakonam and quash the same.

For Petitioner	: Mr.C.K.M.Appaji
For Respondents	: Mr.M.Chandra Sekaran Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceeding in C.C.No.172 of 2000 on the file of the learned Judicial Magistrate, Kumbakonam.

2.Heard learned counsel appearing for the petitioner and learned Additional Public Prosecutor for the respondents.

3.The final report was filed by the respondent police for the offence under Sections 409, 468, 471 and 477 IPC. This final report was filed in the year 2000 itself. However, till date the case is pending without any progress for the last 18 years.

4.The second respondent police, who was present before this Court, informed that the case was originally pending before the learned Judicial Magistrate No.II, Kumbakonam and subsequently was transferred to the learned Judicial Magistrate No.I, Kumbakonam and since there was a delay in transferring the records, there was no progress in the case.



5. This Court does not find any ground to quash the proceedings at this stage. Further, there shall be a direction to the learned Judicial Magistrate No.I, Kumbakonam to complete the proceedings within a period of three months from the date of receipt of a copy of this order and report the compliance of this order before this Court immediately after completion of the proceedings.

6. The petitioner is aged about 62 years. Therefore, the presence of the petitioner shall be dispensed with during the proceeding and he shall be represented by the learned counsel. The petitioner shall be present before the Court at the time of 313 Cr.P.C., questioning and at the time of passing of Judgment. The learned counsel representing the petitioner shall examine the witnesses on the same day, when the witnesses are examined in chief.

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

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar(Cs-II)

To:

1. The Judicial Magistrate No.1,
Kumbakonam.
2. The Inspector of Police,
District Crime Branch,
Thanjavur, Thanjavur District.
3. The Sub Divisional Inspector (Postal),
Kuthalam Sub Division,
Kuthalam-609801,
Nagapattinam District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.C.K.M.Appaji, Advocate Sr.No.86343

CP

VB/PM/SAR2/16.10.2018/2P/6C

Cr1.O.P. (MD) No.17047 of 2018
and

Cr1.M.P. (MD) Nos.7543 and 7544 of 2018
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