



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2018

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THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

Cr1.O.P. (MD) No.12094 of 2013

and

M.P. (MD) Nos.1 and 2 of 2013

1.Franklin Desai
2.Arockiasamy
3.Kalaimani
4.Prakasam
5.Ganesan

... Petitioners/A1 to A5

Vs.

State Rep. By

1.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
(Crime No.461 of 2012)

... 1st Respondent/Complainant

2.K.Vanitha Kannadasan ... 2nd Respondent/Defacto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with the impugned charge sheet in C.C.No.29 of 2013 pending trial on the file of the Judicial Magistrate No.I, Sivagangai and quash the same.

For Petitioners : Mr.N.Sathish Babu

For R1 : Mr.A.Robinson
Government Advocate (Criminal Side)

For R2 : No appearance

O R D E R

This Criminal Original Petition has been filed to quash the proceedings relating to the charge sheet in C.C.No.29 of 2013, pending on the file of the Judicial Magistrate No.I, Sivagangai.

2.Though the learned counsel for the petitioners raised several grounds for quashing the charge sheet filed by the 1st respondent Law Enforcing Agency, he submitted that it would suffice, if a direction is issued to the trial Court to complete the trial within a time limit that may be stipulated by this Court and also to permit the petitioners to raise all the grounds raised in this petition before the trial Court.



3.I have heard the learned Government Advocate (Criminal Side) appearing for the first respondent, who has also conceded the request of the learned counsel for the petitioners.

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4.In the light of the above said submission of the learned counsel for the petitioners, this Court without going into the merits of the case, directs the learned Judicial Magistrate No.I, Sivagangai, to complete the trial in C.C.No.29 of 2013, within a period of six months from the date of receipt of a copy of this order and the personal appearance of the first petitioner/Franklin Desai and the second petitioner/Arockiasamy is dispensed with unless the learned Magistrate feels that their presence is required for disposal of the case.

5.With the above direction, this Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To

1.The Judicial Magistrate No.I,
Sivagangai.

2.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.N.Sathish Babu, Advocate, SR.No.52395

Ls

RL/5C/2P/KK/SAR3/21/3/2018

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