



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 14.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

Crl.O.P.(MD)No.12921 of 2013
and M.P.(MD)No.1 of 2013

G.Prahalathan ... Petitioner/4th Accused

Vs.

Inspector of Police,
CCIW-CID, Tuticorin,
Under Cr.No.1 of 2012. ... Respondent/Complainant

PRAYER: The Petition filed under Section 482 Cr.P.C. to call for the charge sheet in C.C.No.28 of 2012, on the file of the Judicial Magistrate No.II, (CCIW-Special Court), Tirunelveli and to quash the same as illegal as far as the petitioner is concerned.

For Petitioner : Mr.K.R.Laxman

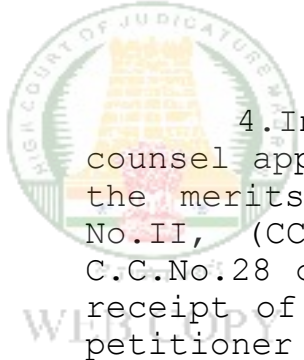
For Respondent : Mr.A.Robinson
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to call for the charge sheet in C.C.No.28 of 2012, on the file of the Judicial Magistrate No.II, (CCIW-Special Court), Tirunelveli and to quash the same as illegal as far as the petitioner is concerned.

2.Today when the matter is taken up for hearing, the learned Government Advocate (Crl.side) appearing for the first respondent submitted that as of now, out of 47 witnesses stated in the charge sheet, 17 witnesses were examined and 178 documents were marked as exhibits. As per the submission of the learned Government Advocate (Crl.side) portion of the trial was completed.

3.Though the learned counsel appearing for the petitioner raised several grounds for quashing the proceedings in C.C.No.28 of 2012, 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, which are raised in this petition before the Trial Court. However, he requested this Court that the appearance of the petitioner may be dispensed with before the Trial Court.



4. In the light of the above said submissions of the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, directs the learned Judicial Magistrate No.II, (CCIW-Special Court), Tirunelveli to dispose the case in C.C.No.28 of 2012, within a period of three months from the date of receipt of a copy of this order. Meanwhile, the appearance of the petitioner is dispensed with unless the learned Judicial Magistrate feels that the presence of the petitioner is required for the disposal of the case.

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

Sd/
Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II, (CCIW-Special Court),
Tirunelveli.

2. Inspector of Police,
CCIW-CID, Tuticorin,
Under Cr.No.1 of 2012.

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

+1cc to Mr.K.R.LAXMAN, Advocate, SR.No. 48762

Cr1.O.P. (MD) No.12921 of 2013
and M.P. (MD) No.1 of 2013
14.02.2018

GNS
KK/SV MMS/12.03.2018/SAR-4/2P-5C