



WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 22.02.2018

CORAM:

**THE HONOURABLE MR. JUSTICE R.PONGIAPPAN**

Crl.O.P. (MD) No.13284 of 2013

and

Crl.M.P. (MD) Nos.1 & 2 of 2013

S.Shanmugam

... Petitioner/Sole Accused

Vs.

1. State of Tamil Nadu

Rep. by its Inspector of Police,

Thandikudi Police Station,

Dindigul District.

(Crime No.173/2013)

.. 1<sup>st</sup> Respondent/ Complainant

2. Pandiarajan

.. 2<sup>nd</sup> Respondent/ Defacto

Complainant

**PRAYER:** The Petition filed under Section 482 Cr.P.C. to call for the records pertaining to C.C.No.42 of 2013, on the file of the learned District Munsif-cum-Judicial Magistrate, Kodaikanal, Dindigul District and quash the same.

For Petitioner

: Mr.S.Sukumar

For Respondent No.1

: Mr. A.Robinson

Government Advocate

(Criminal side)

For Respondent No.2

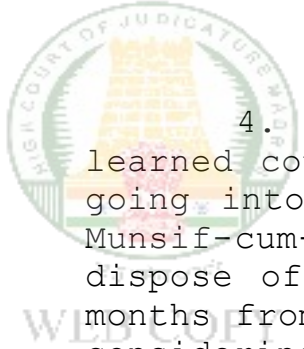
: Mr.P.Sesu Balan Raja

**ORDER**

This Criminal Original Petition has been filed to call for the records and quash the case in C.C.No.42 of 2013, on the file of the learned District Munsif-cum-Judicial Magistrate, Kodaikanal, Dindigul District.

2. Though the learned counsel appearing for the petitioner raised several grounds for quashing the proceedings in C.C.No.42 of 2013, 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 petitioner to raise all the grounds raised in this petition before the Trial Court. He further submitted that since the petitioner is aged about 64 years, his appearance may be dispensed with before the Trial Court.

3. I have heard the learned counsel appearing for the petitioner, the learned Government Advocate(Criminal side) appearing for the first respondent and the learned counsel appearing for the second respondent. The learned Government Advocate(Criminal side) has also conceded the request of the learned counsel appearing for the petitioner.



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 District Munsif-cum-Judicial Magistrate, Kodaikanal, Dindigul District to dispose of the case in C.C.No.42 of 2013 within a period of four months from the date of receipt of a copy of this order. Further, considering the age of the petitioner, the appearance of the petitioner before the Trial Court is dispensed with, unless the learned Judicial Magistrate feels that his presence is required for the disposal of the case.

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

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Munsif-cum-Judicial Magistrate,  
Kodaikanal,  
Dindigul District.
2. The Inspector of Police,  
Thandikudi Police Station,  
Dindigul District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Copy to  
The Section Officer, (2 COPIES)  
Criminal Section,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.G.Aravinthan, Advocate Sr.No.50746  
+1cc to Mr.P.Sesu Balan Raja, Advocate Sr.No.50628

PJL

VB/SV/MMS/SAR3/14/03/2018/2P/8C

**Cr1.O.P. (MD) No.13284 of 2013**  
**22.02.2018**