



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2018

CORAM

THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

Crl.O.P. (MD) No.16983 of 2013

and

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

- 1.N.Kannan
- 2.N.Murugan
- 3.Ilamvazhuthi
- 4.S.M.Sundara Pandian
- 5.Vijaya
- 6.K.Parashakthi

...Petitioners/Accused Nos.1 to 6

Vs.

1. The State represented by
The Inspector of Police,
District Crime Branch
Dindigul District.
(Crime No.79/10)

...Respondent/Complainant

- 2.Mangammal

..Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the case in C.C.No.18 of 2012 on the file of the learned Judicial Magistrate No.II, Dindigul, Dindigul District and to quash the same.

For Petitioners : Mr.R.Anand

For R-1 : Mr.A.Robinson

Government Advocate(Crl.Side)

O R D E R

This Criminal Original Petition has been filed to call for the records pertaining to the case in C.C.No.18 of 2012 on the file of the learned Judicial Magistrate No.II, Dindigul, Dindigul District and to quash the same.

2. The petitioners herein are arrayed as Accused Nos.1 to 6 in C.C.No.18 of 2012 on the file of the learned Judicial Magistrate No.II, Dindigul. The case has been registered against the accused for the offences punishable under Sections 120(b), 406, 420, 465, 467 and 468 I.P.C., Pending trial, this Court passed an order in Crl.R.C.(MD).No.103 of 2014, dated 12.09.2017, in which, the 5th and 6th petitioners in this application were discharged from all the



charges framed against them and also directed the learned Judicial Magistrate No.II, Dindigul to dispose the above said case within a period of 6 months with regard to petitioners 1 to 4 herein.

3.The learned Government Advocate (Crl.Side) appearing for the State submitted that since NBW was pending against the 3rd petitioner herein, trial cannot be completed and the proceedings are still pending.

4.Now, on go through the papers placed before me, it would appear that the NBW was issued on 06.02.2016, but without any reason the first respondent had not secured the third petitioner herein.

5.Now, the learned counsel appearing for the petitioners 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.

6.In the light of the above said submissions of the learned counsel appearing for the petitioners, this Court, without going into the merits of the case, directs the learned Judicial Magistrate No.II, Dindigul to complete the trial in C.C.No.18 of 2012 within a period of four months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,Dindigul.
2. The Inspector of Police,
District Crime Branch
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

msa

MV:CVC:SAR4:27/04/2018/2P/4C

**Cr1.O.P. (MD)No.16983 of 2013
and**

**M.P. (MD) .Nos.1 & 2 of 2013
12.03.2018**