

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

DATED: 09.02.2018

CORAM:

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THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

CrI.O.P. (MD) No.4186 of 2013
and
CrI.M.P. (MD) No.1 of 2013

1.Azhagu Mahendran

2.Perinbam

3.M.Ashok Chakkaravarthi

4.T.R.M.Alagu Mehalai Chandran .. Petitioners/Accused Nos.1 to 4

Vs.

1. The Superintendent of Police,
Tirunelveli District.2. The Sub Inspector of Police,
All Women Police Station,
Tirunelveli Town,
Tirunelveli District.
(Crime No.6 of 2012).. 1st & 2nd Respondents/ Complainants3.Jeeva Ranjitham .. 3rd Respondent/ Defacto
Complainant

PRAYER: The Petition filed under Section 482 Cr.P.C. to call for the records in C.C.No.240 of 2012, on the file of the learned Judicial Magistrate No.V, Tirunelveli and quash the same as illegal.

For Petitioners : Mr.A.Subaharan for
M/S.Antony Jesu Rajan

For Respondent Nos.1 & 2: Mr.A.Robinson
Government Advocate (Criminal side)

Respondent No.3 : Left

**ORDER**

This Criminal Original Petition has been filed to call for the records and quash the case in C.C.No.240 of 2012, on the file of the learned Judicial Magistrate No.V, Tirunelveli.

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2. Though the learned counsel appearing for the petitioners raised several grounds for quashing the proceedings in C.C.No.240 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 raised in this petition before the Trial Court. He further submitted that since the second petitioner is aged about 55 years, his appearance may be dispensed with before the trial Court.

3. I have heard the learned Government Advocate (Criminal side) appearing for the respondents 1 and 2, who has also conceded the request of the learned counsel appearing for the petitioners.

4. In the light of the above said submissions made by the learned counsel appearing for the petitioners, this Court, without going into the merits of the case, directs the learned Judicial Magistrate No.V, Tirunelveli, to dispose of the case in C.C.No.240 of 2012, within a period of three months from the date of receipt of a copy of this order. However, since the second petitioner is aged about 55 years, his appearance before the trial Court is dispensed with, unless the learned 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 Petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.V,
Tirunelveli.

2.The Superintendent of Police,
Tirunelveli District.



3. The Sub Inspector of Police,
All Women Police Station,
Tirunelveli Town,
Tirunelveli District.

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

+ 1 cc TO M/S. Antony Jesu Rajan , Advocate in SR No. 48087

PJL

AE/KK/SAR3/09.03.2018/3P/6C

Cr1.O.P. (MD) No.4186 of 2013
09.02.2018