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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.06.2019

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14150 of 2013
and M.P.No.1 of 2013

Tmt.Uma

...Petitioner/Accused-30

Vs

The State rep.by
The Inspector of Police
Anakkavur Police Station,
Thiruvannamalai District.

....Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records in P.R.C.No.7 of 2013 on the file of Judicial Magistrate No.II, Cheyyar and quash the same as illegal.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mrs.S.Thakira
Government Advocate
(Criminal side)

O R D E R

The contention of the petitioner is that in the FIR, it is stated that the petitioner has pelted a brickbat upon the injured and subsequently he died. However, in the statement, no such overt act has been attributed. It is only stated that they have used abusive language.

2. The learned Government Advocate (Crl. Side) submits that there are specific overt acts against the petitioner and other accused. The case is committed and it is now pending trial in S.C.No.42/2017 on the file of the Additional District Court, Arani. There are totally 33 accused and the accused abscond themselves in taking their turn, thereby consequently curtailing the progress of the case and therefore, even the charges could not be framed and opposed to the petition.



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3. At this stage, the learned counsel for the petitioner seeks permission of this Court to withdraw this Criminal Original petition and made an endorsement to that effect in the petition.

4. The crime number is of the year 2012. Thereafter on completion of investigation, charge sheet has been filed before the Judicial magistrate No.II as P.R.C.No.2013. From the year 2013, 4 years has been taken to complete the committal proceedings. The case is pending from the year 2013 and charges are yet to be framed.

5. Considering the fact that the Sessions Case has been pending without any progress for the past two years, the Trial Court, namely the Additional District Court, Arani is directed to expedite the trial. The next hearing date i.e., on 08.07.2019, direct all the accused to appear on that date or on the following date without fail by taking coercive steps to complete framing of charge and thereafter, proceed further with the trial on day to day basis by giving top priority to dispose of the above case within a stipulated period.

6. This Criminal Original Petition is dismissed as withdrawn. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate No.II,
Cheyyar.

2.The Additional District Court,
Arani.

3.The Inspector of Police
Anakkavur Police Station,
Thiruvannamalai District.



4.The Public Prosecutor,
High Court, Madras.

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