

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.4898 of 2012 &
M.P.Nos.1 & 2 of 2012

1. M.Kalaivanan

2. V.Saraswathi ... Petitioners/Accused 1 & 2

Vs.

1. M.H.Mohideen (died) ... 1st Respondent/Complainant

2. Dr.M.Mohammed Rafi,
S/o.M.H.Mohideen

[R2 is impleaded as per the Order of this
Court in CrI.M.P.No.16000 of 2017 in
CrI.O.P.No.4898 of 2012] ...2nd Respondent

Prayer: Petition filed under Section 482 of Cr.P.C. to call for the records in C.C.No.154 of 2012 on the file of the Learned X Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioners : Mr.V.Bhiman

For Respondents : Mr.M.Deivanandam

O R D E R

This Criminal Original Petition has been filed to call for the records in C.C.No.154 of 2012 on the file of the Learned X Metropolitan Magistrate, Egmore, Chennai and to quash the same.

2. The learned counsel appearing for the petitioners would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the Trial Court to expedite the trial and complete the same as early as possible. He would further submit that the appearance of the petitioners before the Trial Court may be dispensed with and would further submit that the petitioners are ready to appear as and when necessary arise.

3. The learned counsel appearing for the first respondent

concede to the request made by the learned counsel appearing for the petitioners.

4. In view of the above, this Court directs the learned X Metropolitan Magistrate, Egmore, Chennai, to expedite the trial in C.C.No.154 of 2012 and complete the same as early as possible. The appearance of the petitioners before the Trial Court is dispensed with. However, this order will not stand on the way of the Trial Court to insist for the appearance of the petitioners for receiving copies under Section 207 of Cr.P.C., framing of charges, questioning under Section 313 of Cr.P.C. and judgment and as and when the Trial Court feels it necessary.

5. With the above directions, this criminal original petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (JJ Act)

//True Copy//

Sub Assistant Registrar

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To

1. The X Metropolitan Magistrate,
Egmore, Chennai.

2. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1cc to Mr.Deivanandam, Advocate, S.R.No. 105762

Cr1.O.P.No.4898 of 2012
and
M.P.Nos.1 & 2 of 2012

MR(CO)
GN(20/02/2020)