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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2019

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.5823 of 2013

and

M.P.Nos.1 & 2 of 2013

L.Sekar ... Petitioner/Accused No.2

Vs.

1.State represented by

The Inspector of Police,
Avinashi Police Station,
Avinashi,
Tiruppur District,
Crime No.1621 of 2011.

... Respondent/Complainant

2.P.Jothi

... Respondent/Defacto-
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.228 of 2012 pending on the file of the learned Judicial Magistrate, Avinashi in Cr.No.1621 of 2011 on the file of the first respondent and quash the same.

For Petitioner : No appearance

For R1 : Mrs.S.Thankira,
Government Advocate [Cr1. Side]

* * * * *

O R D E R

Criminal Original Petition is filed to call for the records in C.C.No.228 of 2012 pending on the file of the learned Judicial Magistrate, Avinashi in Cr.No.1621 of 2011 on the file of the first respondent and quash the same.



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2. Heard, the learned Government Advocate [Crl. Side] appearing for the first respondent. No representation for the petitioner.

3. The petitioner is A2 in C.C.No.228 of 2012 has filed this quash petition. The first respondent herein had filed the charge sheet for offence under Section 392 IPC against the petitioner and two others before the Judicial Magistrate Court, Avinashi.

4. The learned Government Advocate [Crl. Side] submits that in this case trial has commenced, out of 14 witnesses, 6 witness have been examined. She further submits that the petitioner has got ten previous case of similar in nature.

5. The learned Government Advocate [Crl. Side] further submits that the respondent police undertakes to complete the trial within a time bound manner by producing the witnesses, since the case is pending from the year 2012.

6. Considering the above said submission, this Court directs the trial Court to complete the trial within a period of four months from the date of receipt of a copy of this order.

7. Accordingly, this Criminal Original Petition stands disposed of. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

ah

To

1. The Judicial Magistrate, Avinashi.

2. Do thro the Chief Judicial Magistrate, Coimbatore

3. The Inspector of Police,
Avinashi Police Station,
Avinashi, Tiruppur District,
Crime No.1621 of 2011.

4. The Public Prosecutor, High Court, Madras.

Crl.O.P.No.5823 of 2013

A.SK(27/08/2019)