

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.5242 of 2019
and
CrI.M.P.Nos.3041 & 3042 of 2019

Vijayakumar

... Petitioner

Vs.

D.Yasar Arafath

... Respondent

Prayer : Criminal Original petition filed under Section 482 of Code of Criminal Procedure to call for the records in S.T.C.No.618/2018 on the file of the Fast Track Judicial Magistrate No.II, Erode and quash the same.

For Petitioner : Mr.P.Santhanakrishnan

O R D E R

The prayer sought for in this petition is to quash the proceedings in S.T.C.No.618/2018 on the file of the Fast Track Court, Judicial Magistrate No.II, Erode.

2. The learned Counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Without any base, S.T.C.No.618 of 2018 has been filed before the learned Judicial Magistrate No.II, Fast Track Court, Erode. Hence he prayed to quash the same.

3. The learned Additional Public Prosecutor would submit that the investigation is almost pending and the case is pending for trial.

4. Heard Mr.P.Santhanakrishnan, learned counsel appearing for the petitioner..

5. Considering the facts and circumstances of the case, this Court does not find any merit in this petition and is not inclined to quash S.T.C.No.618 of 2018 has been filed before the learned Judicial Magistrate No.II, Fast Track Court, Erode.

6. In view of the above, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous

petitions are closed.

7. Considering the petitioner's submission, the personal appearance of the petitioner before the trial court is dispensed with except on the dates, which the trial court insisted for framing of charges, preliminary question under Section 311 of Cr.P.C and on the date of Judgment and the trial court is directed to complete the entire trial within a period of six months from the date of receipt of a copy of this order.

s/d-
Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

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To

1. The Judicial Magistrate No.II, Fast Track Court, Erode.
 2. The Public Prosecutor,
High Court, Madras.
- +1 CC to Mr.G.Natarajan, Advocate sr 18109.

Crl.O.P.No.5242 of 2019
and
Crl.M.P.Nos.3041 & 3042 of 2019

KS (CO)
SP (09/04/2019)

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