

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.8315 of 2019

Rajagopal

... Petitioner /Defacto Complainant

Vs

1. The State,
represented by
The Inspector of Police,
Peelamedu Police Station,
Coimbatore.

..Respondent/Complainant

2.Durairaj

3.Arumugam

... Respondents/Accused

Prayer:Criminal Original Petition filed under Section 482 of CrPC., to direct the Trial Court to expedite the trial within the stipulated period and permit the petitioner to file an application under Section 301 (2) of CrPC in C.C.No.255 of 2018 pending on the file of the learned Judicial Magistrate No.VI, Coimbatore.

For Petitioner : Mr.B.Nambi Selvan

For Respondent I: Mr.C.Raghavan

Government Advocate [Crl. Side]

ORDER

This Criminal Original Petition has been filed seeking a direction to direct the Trial Court to expedite the trial within the stipulated period and permit the petitioner to file an application under Section 301 (2) of CrPC in C.C.No.255 of 2018 pending on the file of the learned Judicial Magistrate No.VI, Coimbatore.

2. Heard the learned counsel for the petitioner and the learned Government Advocate [criminal side] for the first respondent and perused all the documents available on record.

3. It is seen that the petitioner lodged a complaint against the accused Durairaj and Arumugam before the 1st respondent police. Subsequently, on 04.03.2018, the respondent police have registered a case in Crime No.362 of 2018 for the alleged offences under sections 294(b), 506(i) and 384 IPC

against the said accused persons and taking cognizance in C.C.No.255 of 2018 pending on the file of the learned Judicial Magistrate No.VI, Coimbatore. There are totally 10 persons were listed as witnesses and the prosecution has not chosen to commence the trial till date. Therefore, the petitioner seeking a direction to conduct the trial before the Court below.

4. Considering the above facts and circumstance of the case, the Trial Court is directed to complete the trial and also entire proceedings in C.C.No.255 of 2018 pending on the file of the learned Judicial Magistrate No.VI, Coimbatore, as expeditiously as possible within a period of six months from the date of receipt of a copy of this Order.

5. This Criminal Original Petition is disposed of accordingly.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

msm
To

1. The Judicial Magistrate No.VI
Coimbatore.

2. The Inspector of Police,
Peelamedu Police Station,
Coimbatore.

3. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.B.Nambi Selvan, Advocate sr 29351.

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RJI (CO)
SP(03/04/2019)

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