

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.4681 of 2010
and
M.P.No.1 of 2010

1.H.Thiyagarajan

2.A.RamuPetitioners

Vs.

1.State represented by
Inspector of Police,
Kotagiri Police Station,
Kotagiri, The Nilgiris.

2.MariamalRespondents

Petition for modification under Section 482 of Cr.P.C.,
praying to call for the entire records relating in C.C.No.77 of
2009 pending on the file of the Learned Judicial Magistrate,
Kotagiri and quash the same.

For Petitioner : Mr.A.Bobblie

For Respondents : Mr.C.Iyyapparaj, APP for R-1
No Appearance for R-2

O R D E R

The present petition has been filed for quashment of C.C.No.
77/08, pending on the file of the Learned Judicial Magistrate,
Kotagiri.

2. Though very many grounds have been raised, however, when
the matter was taken up, learned counsel appearing for the
petitioners submits 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
that they would appear before the trial court as and when
necessary arise.

3. On the above submission, this Court heard the learned Addl. Public Prosecutor appearing for the 1st respondent, who fairly concedes to the said request made by the learned counsel appearing for the petitioners.

4. In such view of the matter, this criminal original petition is disposed of directing the learned Judicial Magistrate, Kotagiri to expedite the trial in C.C.No. 77 of 2009 and complete the same as early as possible. Further, taking into consideration the request as made by the learned counsel for the petitioners, the appearance of the petitioners before the trial court is dispensed with except for their appearance for the purpose of receiving the copy of the proceedings u/s 207 Cr.P.C., framing of charges, questioning under Section 313 Cr.P.C. and on the day on which judgment is to be pronounced. However, if for any particular reason, the presence of the petitioners is necessary, the trial court, as its wisdom, shall direct their appearance on those days. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kkn/GLN

To:-

1. The Judicial Magistrate,
Kothagiri.

2.The Inspector of Police,
Kotagiri Police Station,
Kotagiri, Nilgiris.

3.The Additional Public Prosecutor,
High Court, Madras.

+1cc to M/s.A.Bobblie, Advocate Sr.104940

Cr1.O.P.No.4681 of 2010

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srg 01/10/2020