

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.25846 of 2014

and

M.P.No.1 of 2014

- 1.P.Stanley Buck
- 2.P.Sethuammal
- 3.Dr.(Major) S.B.Tilak Vijayakumar
- 4.Dr.S.B.Rena Rosalind

... petitioners

Vs.

- 1.State represented by
The Inspector of Police,
Karunya Nagar Police Station,
(Crime No.52 of 2007)
Coimbatore District.

- 2.M.John Britto

... Respondents

PRAYER: Petition filed under Section 482 of Cr.P.C., seeking to call for the records and quash the case in C.C.210 of 2011 in the court of the Judicial Magistrate No.5, Coimbatore in Crime No.52 of 2007 on the file of the 1st respondent.

For Petitioners : Mr.G.Saravanan

For Respondents : Mr.C.Iyyapparaj,
Additional Public Prosecutor for R1

ORDER

These criminal original petition has been filed eeking to call for the records and quash the case in C.C.No.210 of 2011 in the court of the Judicial Magistrate No.5, Coimbatore in Crime No.52 of 2007 on the file of the 1st respondent.

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. The learned counsel for the petitioners would also submit that the 1st petitioner died.

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 Judicial Magistrate No.5, Coimbatore, to expedite the trial in C.C.No. 210 of 2011 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 as against the petitioners 2 to 4. The Criminal Original Petition is abated as regards the 1st petitioner since it is represented that the 1st petitioner died. Consequently, connected miscellaneous petition is closed.

10.12.2019

dsa

Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

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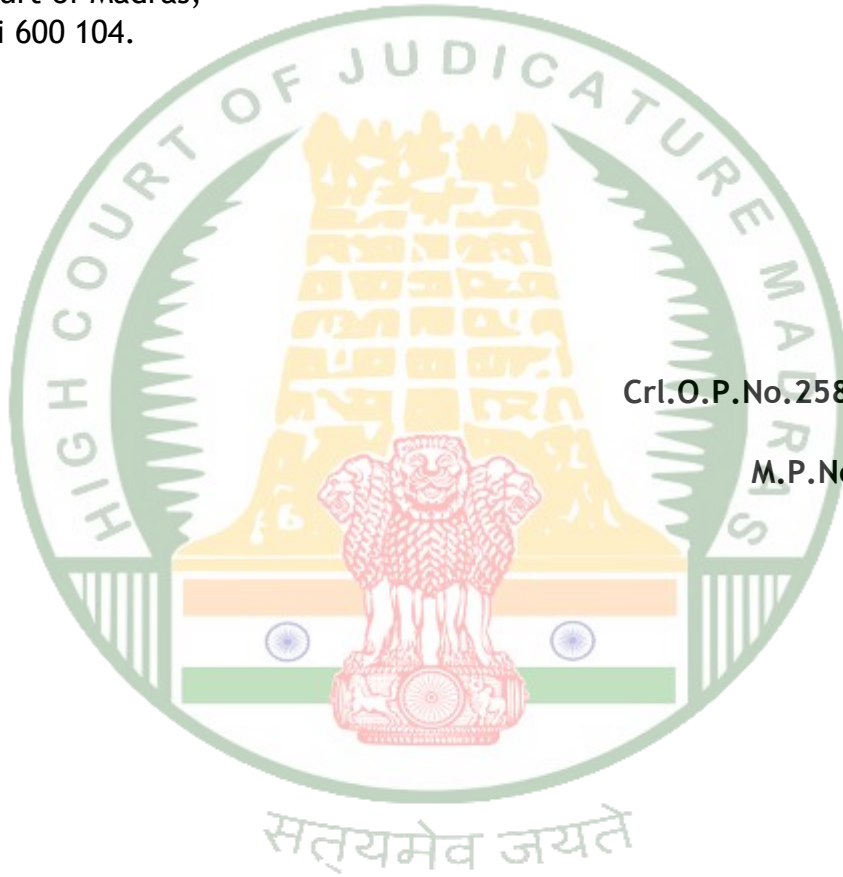
M.DHANDAPANI,J.

dsa

To

1.The learned Judicial Magistrate No.5, Coimbatore.

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



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10.12.2019