

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2019

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Cr1.O.P.No.20075 of 2019

Ramesh

...Petitioner/Accused-8

Vs

1. State rep. by,
Inspector of Police,
Kandamangalam Police Station,
Villupuram District.
Crime No.7/2006. ... 1st Respondent/Complainant
2. E.S.Gurubarathan ... 2nd Respondent/Defacto Complainant

PRAYER:

Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records relating to the proceedings in P.R.C.No.43 of 2007, before the file of Learned Judicial Magistrate-II, Villupuram and may quash the same in respect of the petitioner / accused No.8.

For Petitioner : Mr.B.Nambiselvan

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

सत्यमेव जयते
O R D E R

The grievance of the petitioner is that though the proceedings in P.R.C.No.43 of 2007 was initiated 12 years back, the trial is yet to be commenced. The reason for the delay was sought for from the learned Judicial Magistrate by way of report, wherein it was stated that the accused had one after the another failed to appear before the Court, owing to which warrants were issued. At present, the case is pending for execution of Non Bailable Warrant against A1, A6 and A7.

2.The grievance of the petitioner who is the 8th accused herein is to quash the proceeding due to its long pendency. It

would not be appropriate to quash the proceedings on that ground. But, on the other hand, by directing the Trial Court to complete the proceedings within a stipulated time, the ends of the justice would be secured. It is brought to the notice of this Court that the proceedings are at committal stage.

3.It is needless to point out that if the Trial Court is of the view that the proceedings are being delayed owing to pendency of the Non Bailable Warrant against some of the accused, it is always open to them to split up the case insofar as the accused who are regularly appearing and proceed with committal.

4.In the light of the above observations, there shall be a direction to the learned Judicial Magistrate No-II, Villupuram to complete the committal proceedings in P.R.C.No.43 of 2007, as expeditiously as possible, in any event, within a period of six weeks from the date of receipt of a copy of this order.

5.This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

jas/ssr

To

1. The Judicial Magistrate-II, Villupuram.
2. The Inspector of Police,
Kandamangalam Police Station,
Villupuram District.
3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.B.Nambiselvan, Advocate, S.R.No.78624

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BS (CO)
CS/30/10/2019