

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.R.C.No.759 of 2019
and Crl.M.P.No.10730 of 2019

Suriya @ Suriyapriyan

... Petitioner

Vs

State rep. by
The Inspector of Police,
Central Crime Branch,
Egmore, Chennai-8.

... Respondent

Criminal revision preferred under Section 397 read with Section 401 of Cr.P.C. to set aside the judgment and order passed by the CCB and CBCID Metropolitan Magistrate, Egmore, Chennai-8 in Crl.M.P.No.1704 of 2018 (Old Crl.M.P.No.1671 of 2016) in C.C.No.3292 of 2017 (Old C.C.No.1400 of 2005) dated 01.04.2019.

For Petitioner : Ms.K.Sumathi
For Respondent : Mrs.P.Kritika Kamal,
Govt. Advocate (Crl. Side)

O R D E R

This Criminal Revision has been preferred to set aside the order dated 01.04.2019 passed by the learned CCB and CBCID Metropolitan Magistrate, Egmore in Crl.M.P.No.1704 of 2018 (Old Crl.M.P.No.1671 of 2016) in C.C.No.3292 of 2017 (Old C.C.No.1400 of 2005).

2.When this Court was about to dismiss the case on merits, learned counsel for the petitioner seeks permission of this Court to withdraw this petition and she has also made an endorsement to that effect.

3.In view of the endorsement made by the learned counsel for the petitioner, this petition is dismissed as withdrawn with liberty to raise all the points before the trial Court after the charges are framed, since there are prima facie materials to frame charge.

4.It is seen that this case is pending from the year 2005, as Murugesan (A1) is absconding. In view of the above, the trial Court is directed to complete the trial in C.C.No.3292 of 2017 (Old C.C.No.1400 of 2005) within six months from the date of receipt of a copy of this order, provided the petitioner/accused cooperates by cross-examining the witnesses, on the day they are examined in-chief, as held by the Hon'ble Supreme Court in Vinodh Kumar Vs State of Punjab reported in 2015[1] MLJ [Cr1] 288. The police is directed to take effective steps to secure Murugesan (A1) and bring him for trial. The trial Court is directed to monitor the steps taken by the police to apprehend Murugesan (A1) and may also coordinate with the Deputy Commissioner of Police, CCB, Chennai for securing Murugesan (A1). Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

gya

To

1.The CCB and CBCID Metropolitan Magistrate, Egmore.

2.The Inspector of Police, Central Crime Branch, Egmore, Chennai-8.

3.The Public Prosecutor, High Court, Madras.

+2ccs to M/s.K.Sumathi , Advocate SR.No. 66164

CRL.R.C.No.759 of 2019

A.SK(28/08/2019)

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