

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

CrI.O.P.No.26182 of 2019
and
CrI.M.P.No.13988 of 2019

V.Balasubramani ...Petitioner/4th Accused

Vs

- 1.State rep. by its
The Inspector of Police,
Central Crime Branch,
Salem City,
(Cr. No.11 of 1996) ... 1st Respondent/Complainant
- 2.Senior Post Master,
Head Post Office,
Salem-636 001 ...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records and the quash the entire Criminal Proceedings in C.C.No.1032 of 2004 on the file of the Learned Judicial Magistrate No.1, Salem.

For Petitioner : Mr.R.Ezhilarasan

For R1 : Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

One of the main grounds on which the petitioner has been filed by the petitioner is that though the charge sheet has been filed way back in 2004, there is no sufficient progress which has caused huge mental agony and prejudice to the petitioner.

2.The learned counsel submits that the Non-bailable Warrant were being consistently issued against one or the other accused which has caused delay as on date. The Non-bailable Warrant which has been issued against the petitioner/4th accused is alone pending and therefore, the Trial Court is not in a position to proceed further.

3.In my view, if the warrant is recalled and time is stipulated for completion of the trial, as expeditiously as

possible, the ends of justice could be secured.

4. In the light of the above observations, the Non-bailable Warrant issued in connection with C.C.No.1032 of 2004 on the file of the learned Judicial Magistrate No.1, Salem, dated 20.10.2004 as against the petitioner/ 4th accused is hereby recalled. The petitioner/4th accused herein shall henceforth co-operate with the criminal proceedings by making himself available for all the hearings before the Trial Court. The learned Judicial Magistrate No.1, Salem shall endeavour to complete the trial proceedings as expeditiously as possible within a period of three months from the date of receipt of a copy of this order.

5. With the above observations, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Insp Cell)

//True Copy//

Sub Assistant Registrar

vsn/sbn

To

1. The Judicial Magistrate No. I,
Salem.
2. Do Thro The Chief Judicial Magistrate,
Salem.
3. The Inspector of Police,
Central Crime Branch,
Salem City.
4. The Senior Post Master,
Head Post Office, Salem-636 001
5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Ezhilarasan, Advocate, S.R.No. 87630

CrI.O.P.No.26182 of 2019

SV(CO)
GN(28/11/2019)