

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:02.01.2019

CORAM:
THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.28063 of 2018
and
Crl.M.P.No.16305 of 2018

B.Arumugam

... Petitioner

Vs.

G.Parthasarathy

...Respondent

Prayer: Criminal Original petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining C.C.No.203 of 2015 pending on the file of the learned X Metropolitan Magistrate, Egmore at Allikulam and quash the same.

For Petitioner : Mr.Sheik Abdul Rahim

For Respondent : Mr.P.K. Murali

O R D E R

This petition has been filed seeking to quash the proceedings in C.C.No.203 of 2015, pending on the file of the X Metropolitan Magistrate, Egmore.

2. It was seen from records that this Court by an order dated 02.08.2018 directed the learned X Metropolitan Magistrate, Egmore to complete the trial within a period of one month from the date of receipt of a copy of the order. However, the trial was not completed and the case was pending. This Court by an order dated 03.12.2018, directed the learned X Metropolitan Magistrate, Egmore to file a report.

3. The learned X Metropolitan Magistrate, Egmore by his report dated 11.12.2018 has explained the reasons as to why the proceedings were not completed within the time stipulated by this Court. The explanation given by the learned Magistrate is reasonable and there were sufficient reasons as to why the proceedings could not be completed within a time stipulated by this Court.

4. The learned counsel for the petitioner would submit that the evidence on the side of the complainant had already been

completed by examining P.W.1 and P.W.2. The learned counsel would further submit that the petitioner does not want to examine any witness and the Court below can proceed further with the questioning under Section 313 of Cr.P.C and the case can be finally heard and disposed.

5. The learned counsel for the respondent would submit that the evidence on the side of the respondent is already completed.

6. In the facts and circumstances of the case, the Court below is directed to complete the proceedings in C.C.No.203 of 2015, strictly within a period of one month from the date of receipt of a copy of this order and file a compliance report before this Court after the completion of the proceedings.

7. This Criminal Original Petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

dss

To

1.The X Metropolitan Magistrate,
Egmore.

2.The Public Prosecutor,
Madras High Court, Chennai.

+1cc to Mr.P.K.Murali, Advocate, S.R.No.437

+2ccs to Mr.Sheik Abdul Rahim, Advocate, S.R.No.655

Cr1.O.P.No.28063 of 2018
and
Cr1.M.P.No.16305 of 2018

PP(CO)

rrs 04/01/2019

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