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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Crl.O.P. [MD] No.3001 of 2018

and

Crl.M.P. (MD) Nos.1370 and 1371 of 2018

Anjalidevi : Petitioner/Accused No.2
Vs.

1.Selvam : 1st Respondent/Defacto Complainant

2.The Inspector of Police,
K.Pudur Police Station,
Madurai.

(in Crime No.281/2015) : 2nd Respondent/Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to quash the C.C.No.157 of 2015 against the petitioner / accused No.2 which is pending before the learned Judicial Magistrate No.VI, Madurai.

For Petitioner : Mr.AS.Vaigunth

For R2 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)

For R1 : No Appearance

ORDER

The present petition is filed to quash the final report in Crime No.157 of 2015 now pending on the file of the learned Judicial Magistrate No.4, Madurai.

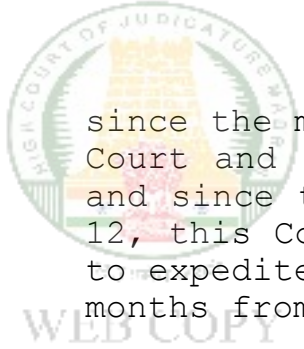
2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the second respondent.

3. The petitioner is arrayed as second accused in the said case. The prosecution has cited as many as 12 witnesses in the final report.

4. The learned counsel for the petitioner would submit that the statement of the witnesses itself *prima facie* does not disclose that the petitioner had committed an offence in order charges could be framed against the petitioner.

5. The learned Government Advocate (Crl.Side) submitted that charges in this are yet to be framed and this case is now posted on 15.04.2019.

6. On closely going through the statement of the witnesses, it is found that there are materials for framing charges against the petitioner. <https://hcservices.ecourts.gov.in/hcservices/> Necessarily this Court does not find any reason to quash the final report laid as against the petitioner. Further



since the matter is pending for the last four years before the trial Court and since the offence involved are not too serious in nature and since the number of witnesses cited by the prosecution are just 12, this Court directs the learned Judicial Magistrate No.4, Madurai to expedite the trial and complete the same within a period of three months from 15.04.2019.

7. Subject to the said direction, this criminal original petition is disposed of.

8. At this juncture, the learned Counsel for the petitioners submitted that the presence of the petitioners before the Trial Court may be dispensed with.

9. Accepting the said submission, the presence of the petitioners before the trial Court is dispensed unless the trial Court requires the presence of the petitioner. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(cs-II)

/True Copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate No.4,
Madurai

2.The Inspector of Police,
K.Pudur Police Station,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.AS.Vaigunth, Advocate, SR.No.55776

Cr1.O.P.[MD]No.3001 of 2018
20.03.2018

SP/03.04.2019/2P/5C



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