



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2019

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P. (MD) No.5393 of 2019

and

CRL.M.P. (MD) Nos.3413 and 3414 of 2019

Mariappan

... Petitioner / Sole Accused

Vs.

1.The Sub Inspector of Police,
Town Police Station,
Usilampatty, Madurai District.
(FIR No.304 / 2015)

2.Raju @ Raja

...Respondents / Complainants

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to C.C.No.186 of 2015 on the file of the District Munsif cum Judicial Magistrate Court, Usilampatty, Madurai District and quash the same.

For Petitioner: Mr.R.Murugappan

For R1 : Mr.A.P.G.Ohm.Chairma Prabhu,
Government Advocate (Crl.Side).

ORDER

This Criminal Original Petition has been filed to quash the case in C.C.No.186 of 2015 on the file of the learned District Munsif cum Judicial Magistrate, Usilampatty, Madurai District.

2.Though the learned counsel for the petitioner raised several grounds for quashing the calender case on the file of the learned District Munsif cum Judicial Magistrate, Usilampatty, Madurai District, he submitted that it would suffice, if a direction is issued to the trial Court to complete the trial within a time limit that may be stipulated by this Court and also to permit the petitioner to raise all the grounds raised in this petition before the trial Court. He further submitted that his personal appearance may be dispensed with.



3. In the light of the abovesaid submission made by the learned counsel, this Court without going into the merits of the case, directs the learned District Munsif cum Judicial Magistrate, Usilampatty, Madurai District to complete the trial in C.C.No.186 of 2015, within a period of six months from the date of receipt of a copy of this order. The personal appearance of the petitioner before the trial Court is dispensed with on condition that he shall be present for receiving charge sheet, for answering the charges, at the time of questioning under Section 313 Cr.P.C., and at the time of passing judgment. However, the petitioner is directed to give an undertaking in the form of affidavit that the counsel representing him will cross examine the prosecution witnesses on the day they are examined in chief. The petitioner shall not dispute the identity of the witnesses.

4. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

To

1. The District Munsif cum
Judicial Magistrate,
Usilampatty, Madurai District.
2. The Sub Inspector of Police,
Town Police Station,
Usilampatty, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-60638[F] dated 12/04/2019)

CRL.O.P. (MD) No.5393 of 2019

10.04.2019