



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2019

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.10268 of 2016

and

Crl.M.P.(MD)No.5097 of 2016

R.Thavamani

... Petitioner/Accused No.9

Vs

1.The State Rep. by
The Inspector of Police,
Kallimanthayammam Police Station,
Dindigul District.
(Crime No.24 of 2010)

... Respondent/Complainant

2.Vijayakandeepan

... Respondent/Defacto
Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records in connection with the impugned charge sheet in P.R.C.No.11 of 2012, on the file of Judicial Magistrate Court, Oddanchathram, Dindigul District and quash the same.

For Petitioner : Mr.D.Selvaraj

For Respondents : Mr.A.Robinson
Govt. Advocate (Crl. Side) for R1

O R D E R

The petitioner is figuring as A9 in P.R.C.No.11 of 2012, on the file of the learned Judicial Magistrate, Oddanchathram. To quash the same, this criminal original petition has been filed.

2.The defacto complainant is a police official. It appears that when the police party went to arrest an accused, the villagers surrounded the police party and also assaulted them causing them injury. That led to registration of Crime No.24 of 2010, on the file of the Kallimanthayammam Police Station. It culminated into final report. Since the case is triable by the Sessions Court, the matter is pending at the committal stage. During the intervening period some four persons are said to have died. The first accused



is said to be absconding. Be that as it may, that is not a ground for keeping things pending all these years. The petitioner is said to have completed his Law course and on account of the pendency of the instant case, he is not position to enroll himself in the bar counsel. Therefore, taking note of these aspects, the Committal Court is directed to conclude the committal proceedings within a period four weeks from the date of receipt of a copy of this order. The Sessions Judge will endeavour to conclude the trial itself on merits and in accordance with law within a period of four months thereafter. If any accused is absconding, the case against the absconding accused will be split up. In any event, the case on hand will not be kept pending beyond the period of six months. It is made clear that all the contentions and defences of the petitioner are left open. I have not gone into the merits of the matter.

3.With these directions, the criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

ias

To:

- 1.The Judicial Magistrate,
Oddanchathram,
Dindigul District.
- 2.The Inspector of Police,
Kallimanthayammam Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.D.SELVARAJ, Advocate (SR-98703[F] dated 15/11/2019)

CrI.O.P. (MD)No.10268 of 2016

15.11.2019

JMN(19.11.2019) 2P : 5C