



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.08.2019
CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

WEB COPY

CrI.O.P.(MD)No.2662 of 2017
and
CrI.M.P(MD)No.2032 of 2017

Rajasekar ... Petitioner/Accused No.9

-vs-

1.State rep.by
The Inspector of Police,
All Women Police Station,
Kulithalai, Karur District,
Crime No.7 of 2013. ... 1st Respondent/Complainant

2.Angayarkanni ... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of the Criminal Procedure Code, to quash the charge sheet filed in C.C.No.48 of 2016 pending on the file of the Judicial Magistrate No.I, Kulithalai, Karur District.

For Petitioner	: Mr.A.Jeol Paul Antony
For R1	: Mr.K.K.Ramakrishnan
	Additional Public Prosecutor
For R2	: No appearance

O R D E R

The petitioner/Accused No.9 has filed the present criminal original petition to quash the charge sheet filed in C.C.No.48 of 2016, pending on the file of the Judicial Magistrate No.I, Kulithalai, Karur District, by raising various grounds.

2.Both the learned counsel for the parties have placed an order passed by this Court in CrI.O.P(MD)No.21879 of 2016. The aforesaid Criminal Original Petition was filed by one Subramanian and others/Accused Nos.2 to 8 to quash the charge sheet filed in C.C.No.48 of 2016. This Court, by order dated 13.10.2017, directed the Judicial Magistrate No.I, Kulithalai to complete the trial within a period of three months from the date of receipt of a copy of order.

3.According to the learned counsel for both the parties, by virtue of the interim order granted in the present petition, the trial Court is not able to proceed with the trial and therefore, this Court may pass orders on the same line as made in CrI.O.P(MD) No.21879 of 2016.



4.In view of the submissions made by the learned counsel for both parties and in the light of the order passed by this Court in Crl.O.P(MD)No.21879 of 2016, this Court directs the Judicial Magistrate No.I, Kulithalai to complete the trial in C.C.No.48 of 2016 within a period of four months from the date of receipt of a copy of this order.

5.According to the learned counsel for the petitioner, the petitioner is suffering from cancer and therefore, his appearance before the trial Court may be dispensed with.

6.In view of the aforesaid submission, the personal appearance of the petitioner is dispensed with, unless the Magistrate feels that the presence of the petitioner is required for disposal of the case.

7.With the above direction, this Criminal Original Petition is disposed of. Consequently, Crl.M.P(MD)No.2032 of 2017 is closed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1.The Judicial Magistrate No.I, Kulithalai.

2.The Inspector of Police,
All Women Police Station,
Kulithalai, Karur District,

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

+1 CC to M/s.JOEL PAUL ANTONY, Advocate (SR-81591[F] dated
14/08/2019)

Crl.O.P. (MD)No.2662 of 2017
13.08.2019

mj
JM/19.08.2019/2P/5C