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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.27674 of 2013

1.Adithya @ John Abraham
2.S.Gomathi
3.A.Satheesh Kumar
4.Mrs.Padma @ Karthikeyini

... Petitioners

Vs.

Sridevi @ Mercy

... Respondent

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records in D.V.A.No.9 of 2013 on the file of the Judicial Magistrate No.III, Coimbatore, quash the proceedings as against these petitioners.

For Petitioners: Mr.K.S.Kumar

For Respondent : Mr.G.Thiyagarajan

O R D E R

This criminal original petition has been filed seeking to call for the records in D.V.A.No.9 of 2013 on the file of the learned Judicial Magistrate No.III, Coimbatore and to quash the proceedings as against these petitioners.

2.The learned counsel appearing for the petitioners would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the Trial Court to expedite the trial and complete the same as early as possible, in respect of the petitioners 1 to 3. He would further submit that the appearance of the petitioners 1 to 3 before the Trial Court may be dispensed with and would further submit that the petitioners 1 to 3 are ready to appear as and when necessary arise. He would further submit that there is not even a word averred as against the fourth petitioner and hence, this Court may quash the proceedings in D.V.A.No.9 of 2013 as against the fourth petitioner.



3.The learned counsel appearing for the respondent concede to the request made by the learned counsel appearing for the petitioners.

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4.This Court perused the entire complaint. On perusal of the complaint there is no allegation made against the fourth petitioner and there are some allegations made against the petitioners 1 to 3.

5.In view of the above, the proceedings in D.V.A.No.9 of 2013 on the file of the the learned Judicial Magistrate No.III, Coimbatore, is quashed, only in respect of the fourth petitioner herein.

6.This Court directs the learned Judicial Magistrate No.III, Coimbatore, to expedite the trial in D.V.A.No.9 of 2013 and complete the same, within a period of six months from the date of receipt of a copy of this order. The appearance of the petitioners 1 to 3 before the Trial Court is dispensed with. However, this order will not stand on the way of the Trial Court to insist for the appearance of the petitioners 1 to 3 for receiving copies under Section 207 of Cr.P.C., framing of charges, questioning under Section 313 of Cr.P.C. and judgment and as and when the Trial Court feels it necessary.

7.With the above directions, this criminal original petition is disposed of. Consequently, connected miscellaneous petition, if any, is closed.

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To
1.The Judicial Magistrate No.III,
Coimbatore.

+1 CC to Mr.G.Thiyagarajan, Advocate sr 3072.
+1 CC to Mr.K.S.Kumar, Advocate sr 2576.

Cr1.O.P.No.27674 of 2013

EV(CO)
SP(29/01/2020)