

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.27784 of 2013

1.A.Adithya
2.M.S.Gomathi
3.A.Satheesh Kumar
4.Mrs.Padma @ Karthikeyini ... Petitioners

Vs.

1.State rep. by
Inspector of Police,
All Women Police Station,
Thiruvallur,
Thiruvallur District.

2.Sridevi ... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records in C.C.No.153 of 2013 on the file of the Judicial Magistrate No.II, Thiruvallur and quash the same.

For Petitioners: Mr.K.S.Kumar

For Respondents: Mr.C.Iyyapparaj for R1
Additional Public Prosecutor
Mr.G.Thiyagarajan for R2

सत्यमेव जयते
O R D E R

This criminal original petition has been filed seeking to call for the records in C.C.No.153 of 2013 on the file of the learned Judicial Magistrate No.II, Thiruvallur and quash the same.

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 C.C.No.153 of 2013 as against the fourth petitioner.

3.The learned Additional Public Prosecutor as well as the learned counsel appearing for the second respondent concede to the request made by the learned counsel appearing for the petitioners.

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 C.C.No.153 of 2013 on the file of the learned Judicial Magistrate No.II, Thiruvallur, is quashed, only in respect of the fourth petitioner herein.

6.This Court directs the learned Judicial Magistrate No.II, Thiruvallur, to expedite the trial in C.C.No.153 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

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To

1.The Judicial Magistrate No.II,
Thiruvallur.

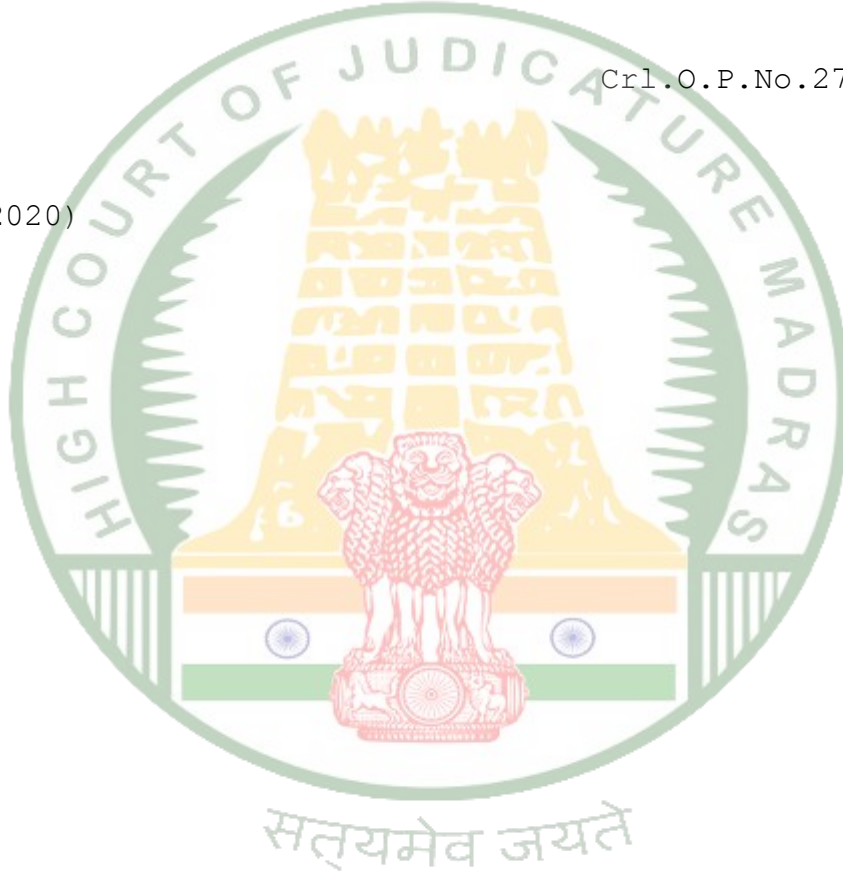
2. The Inspector of Police,
All Women Police Station,
Thiruvallur,
Thiruvallur District.

3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1 CC to Mr.K.S.Kumar, Advocate sr 2577.

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



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