

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 08.01.2020
CORAM
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.6392 of 2013

R.Subramaniam

... Petitioner/2nd Accused

Vs.

1.State rep. by
Inspector of Police,
C.B., C.I.D.,
Namakkal.

2.M.Balu

(2nd respondent, defacto complainant
is impleaded as per the order of this
Hon'ble Court dated 04/10/2018 made
in Crl.M.P.No.12161 of 2018 in
Crl.O.P.No.6392 of 2013) ... Respondents/Complainant

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call
for the records and quash the charge sheet in C.C.No.23 of 2006
on the file of the Chief Judicial Magistrate, Namakkal.

For Petitioner : Mr.Ganesh Kumar

For Respondents : Mr.C.Iyyapparaj for R1

Additional Public Prosecutor

Mr.N.Jayakumar for R2

O R D E R

This criminal original petition has been filed seeking to call
for the records and to quash the charge sheet in C.C.No.23 of
2006 on the file of the learned Chief Judicial Magistrate,
Namakkal.

2.The learned counsel appearing for the petitioner 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.
He would further submit that the appearance of the petitioner
before the Trial Court may be dispensed with and would further
submit that the petitioner is ready to appear as and when
necessary arise.

3.The learned Additional Public Prosecutor and the learned counsel appearing for the second respondent concede to the request made by the learned counsel appearing for the petitioner.

4.In view of the above, this Court directs the learned Chief Judicial Magistrate, Namakkal, to expedite the trial in C.C.No.23 of 2006 and complete the same as early as possible. The appearance of the petitioner 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 petitioner 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.

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

Sd/-
Assistant Registrar (CS-VI)

// True Copy//

Sub Assistant Registrar

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To

1.The Chief Judicial Magistrate,
Namakkal.

2.The Inspector of Police,
C.B., C.I.D.,
Namakkal.

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

+1cc to Mr.R.Ganesh Kumar, Advocate, SR.No.1792.

Cr1.O.P.No.6392 of 2013

CA(CO)
CSR: 14.02.2020