

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.5585 of 2014 and
CrI.M.P.No.1 of 2014

T.D.Naidu ... Petitioner/Accused No.1

Vs.

1.State Rep by,
Sub Inspector of Police,
District Crime Branch,
Thiruvallur District. ...1st Respondent/Complainant
(Crime No.38 of 2013)

2.J.Krishnamoorthy ...2nd Respondent/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for all the records in Crime No.38 of 2013 on the file of the respondent and quash the same.

For Petitioner : M/s.A.Saravanan for
M/s.S.Ashok Kumar

For R1 : M/s.C.Iyyappa Raj
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to quash the F.I.R in Crime No.38 of 2013 pending on the file of the 1st respondent Police.

2.The learned Additional Public Prosecutor would submit that the first respondent police has completed the investigation in Crime No.38 of 2013 and also filed a charge sheet before the learned Judicial Magistrate, Thiruttani and the same is taken on file as C.C.No.81 of 2018.

3.The learned counsel for the petitioner would submit that 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 petitioners before the Trial Court may be dispensed with and would further submit that the petitioner is to appear as and when necessary arise.

4.The learned Additional Public Prosecutor concedes to the request made by the learned counsel for the petitioner.

5.In view of the above, this Court directs the learned Judicial Magistrate, Tiruttani to expedite the trial in C.C.No.81 of 2018 and complete the same within a period of three months from the date of receipt of a copy of this order. 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.

6.With the above directions, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (ADI MDU)

//True copy//

Sub Assistant Registrar

vv2

To

1.The Judicial Magistrate,
Tiruttani.

2.The Sub Inspector of Police,
District Crime Branch,
Thiruvallur District.

3.The Public Prosecutor,
High Court, Madras.

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Cr1.O.P.No.5585 of 2014

MR(CO)
GMY(27/07/2020)