

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.02.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P.NO.26444 OF 2014

AND

M.P.NO.1 /2014

1.Mullainaithan
2.Jayashree

... Petitioners

vs.

The State represented by
Inspector of Police,
District Crime Branch,
Cuddalore District,
Cuddalore.

... Respondent

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.138 of 2006 on the file of the Judicial Magistrate Court No.I, Virudhachalam and to quash the same.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.Saradha Devi
Government Advocate (Crl. Side)

ORDER

The criminal original petition has been filed seeking to call for the records in C.C.No.138 of 2006 on the file of the Learned Judicial Magistrate No.I, Virudhachalam and to quash the same.

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 that the petitioner is ready to appear before the Trial Court as and when required.

3.The learned Government Advocate appearing for the 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 Judicial Magistrate No.I, Virudhachalam to expedite the trial in C.C.No.138 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 petition is closed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
District Crime Branch,
Cuddalore District,
Cuddalore.
2. The Judicial Magistrate No.I,
Virudhachalam.
3. The Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr.C.Prabakaran, Advocate, S.R.No.12109

Cr1.O.P.No.26444 of 2014

CS/19/03/2020