



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.R.C. (MD)No.539 of 2015

and

M.P. (MD)No.1 of 2015

WEB COPY

1.V.Ry.Vittabai @ Nalinidevi

2.Kannan @ Sugumar

3.T.C.Ayyavoo

... Petitioners / Accused

-vs-

1.State by Inspector of Police,  
Taluk Police Station, Thanjavur.

2.V.Ry.Anand Kumar Ghatge Rao Sahib ... Respondents / Respondents

(R2 impleaded as per the order of this Court made in Crl.M.P.(MD) No.6558 of 2017 in Crl.R.C.(MD)No.539 of 2015 dated 18.09.2017)

**PRAYER:** Criminal Revision Case filed under Section 397 r/w 401 of Cr.P.C., praying to call for the records and set aside the order passed in Cr.M.P.No.604 of 2013 in C.C.No.98 of 2012 on the file of the learned Judicial Magistrate No.II, Thanjavur, dated 16.02.2015 and quash the same as illegal.

|                 |                                |
|-----------------|--------------------------------|
| For Petitioners | : Mr.R.Narayanan               |
| For R1          | : Ms.S.Bharathi,               |
|                 | Government ADvocate (Crl.Side) |
| For R2          | : Mr.Niranjan S.Kumar          |

### **ORDER**

The present Criminal Revision Petition is filed against the order of the learned Judicial Magistrate No.II, Thanjavur, dismissing the discharge petition filed under Section 245(2) Cr.P.C., by the petitioners.

2.The learned counsel appearing for the petitioners would submit that during the pendency of this petition, the first petitioner passed away. He would further submit that in respect of other petitioners without going into the merits of the case, if this Court issues direction to the trial Court to expedite the trial and complete the same as early as possible, it would suffice. He would further submit that the appearance of the petitioners 2 and 3 before the trial Court may be dispensed with and the petitioners 2 and 3 are ready to appear as and when necessary arise.



3.The learned Government Advocate (Crl.Side) appearing for the first respondent and the learned counsel appearing for the second respondent concede to the request made by the learned counsel appearing for the petitioners.

4.In view of the above, this Court directs the learned Judicial Magistrate No.II, Thanjavur, to expedite the trial in C.C.No.98 of 2012 and complete the same as early as possible. The appearance of the petitioners 2 and 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 2 and 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.

5.With the above directions, this Criminal Revision Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Myr

To

1.The Judicial Magistrate No.II,  
Thanjavur.

2.The Inspector of Police,  
Taluk Police Station, Thanjavur.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Copy to

The Section Officer, Criminal Section,  
Madurai Bench of Madras High Court, Madurai (2 copies)

+1 CC to Mr.NIRANJAN S.KUMAR, Advocate ( SR-10176[F] dated 05/03/2020 )

+1 CC to Mr.R.NARAYANAN, Advocate ( SR-10678[F] dated 09/03/2020 )

**CRL.R.C. (MD)No.539 of 2015**

**05.03.2020**

VB(18.03.2020) 2P 8C

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