



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

CrI.O.P.[MD]No.16851 of 2018

and

CRL MP(MD)Nos.7454 & 7455 of 2018

1.Murugan

2.Arunachalavadivu

3.Esakkidurai

4.Mani @ Manonmani

5.Parvathy

... Petitioners / R2 to R6

Vs.

G.Vigneshwari

... Respondent / Petitioner

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in proceedings in D.V.C.No.14 of 2018, before the Judicial Magistrate No.I, Tirunelveli in respect of the petitioners and quash the same.

For Petitioners : Mr.R.Pon Karthikeyan

For Respondent : Mr.T.Antony Arul Raj

O R D E R

This Criminal Original Petition has been filed to call for the records in D.V.C.No.14 of 2018, pending on the file of the learned Judicial Magistrate No.1, Tirunelveli in respect of the petitioners and quash the same, as illegal.

2. Today, when the petition came up for hearing, the learned counsel appearing for the petitioners would submit that before the trial Court, in a case pertains to matrimonial proceedings, a number of witnesses have already been examined and as of now, the case is in end of the trial proceedings. In otherwise, the learned counsel restricts the prayer sought for that stipulated time may be fixed for disposing the case.

3. Upon considering the submissions made by the counsel appearing for the petitioners, since the relevant case has been filed in the year of 2018 and also most of the witnesses have already been examined on the side of the respondents / petitioners this Court also feels that appropriate direction to the Judicial Magistrate is necessary to dispose the case.



4. Accordingly, the Judicial Magistrate No.1, Tirunelveli, is directed to dispose the D.V.C.No.14 of 2018 within a period of two months from the date on which the Court resumed the regular work. In otherwise, since the first petitioner was employed at Bombay, the appearance of the first petitioner is dispensed with, except for the day his presence is necessary for completing the trial proceedings.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

MPK

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Judicial Magistrate No.I,
Tirunelveli.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. [MD]No.16851 of 2018
20.08.2020

CS (28.08.2020) 2P 3C