



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 02.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No. 25270 of 2017

and

Crl.M.P.Nos.14536 and 14537 of 2017

1.Kamalesh Rai

2.Bindu [Rai @ Ramesh](#)

3.Elangovan

. . . Petitioners

Versus

State Represented By,
The Inspector of Police,
Sayoor Police Station,
Tirupur District.
(Crl.No.167/2013)

. . . Respondent

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to C.C.No.144 of 2015 on the file of the Judicial Magistrate, Avinashi and quash the same.

For Petitioners : Mr.T.Muruganantham

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the final report in C.C.No.144 of 2015 on the file of the Judicial Magistrate, Avinashi, filed against the petitioners for the offences under Sections 370, 374, 506(1) IPC r/w 34 IPC and Section 16 of the Bonded Labour System (Abolition) Act, 1976.

2.The case of the prosecution is that the accused kept the labourers in confinement as Bonded Labourers and the same was unearthed during the investigation conducted by the District Revenue Officer.



3.The main contention urged by the learned counsel for the petitioners is that the witnesses are residing at a distance place and therefore, it is very difficult to secure the witnesses and hence, the trial may prolong.

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4.At the outset, I am unable to countenance such submission made by the learned counsel for the petitioners. Moreover, when serious charges have been framed against the petitioners and final report has also been filed in the case, the petitioners have to establish their defence before the trial Court. On a perusal of the entire materials on record, I do not find any merit in this petition. Therefore, I am not inclined to quash the final report at this stage.

5.Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

6.The petitioners/accused are directed to appear before the trial Court from the next date of hearing, regularly. The trial Court shall dispose of the matter as expeditiously as possible.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

psa/mkn
To

1.The Judicial Magistrate,
Avinashi.

2.The Inspector of Police,
Sayoor Police Station,
Tirupur District.

3.The Public Prosecutor,
High Court, Madras.

Cr1. O.P. No. 25270 of 2017

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