



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2021

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.18091 of 2021

Lawrence Pakia Singh

... Petitioner

Vs.

State rep by,
The Sub Inspector of Police,
Kulasekaram Police Station,
Kanyakumari District.

... Respondent

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the Judicial Magistrate, Padmanaphapuram to split up the case against the petitioner in PRC No.6 of 2019 on the file of the Judicial Magistrate No.II, Padmanabhapuram and commit the same.

For Petitioner	:	Mr.N.S.Ramakrishna Dass
For Respondent	:	Mr.M.Sakthi Kumar, Govt. Advocate (Crl. Side)

O R D E R

This criminal original petition has been filed to split the proceedings in P.R.C.No.6 of 2019 on the file of the Judicial Magistrate No.II, Padmanaphapuram, as for as the petitioner is concerned.

2.The case arises out of Crime No.548 of 1993 on the file of Kulasekaram Police Station. Originally there were nine accused. Since the petitioner and the second accused were absconding, the case as far as the remaining seven accused was split up and it is presently pending trial in S.C.No.125 of 2005 on the file of Sub Court, Padmanaphapuram. As many as 35 witnesses have already been examined in that case. Whiles, in view of the continued absence of the second accused, the committal proceedings are still pending. The petitioner is aged about 62 years.

3.The respondent is directed to find out the whereabouts of the absconding second accused within a period of four months from the date of receipt of a copy of this order. If even by then, the



whereabouts of the absconding second accused could not ascertained, the committal Court will split up the proceedings in P.R.C.No.6 of 2019 as far as the petitioner is concerned and the commit the case to Sessions Court. It is for the learned Sessions Judge to take a call in the matter thereafter.

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4.This criminal original petition is disposed of with the aforesaid direction.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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.II,
Padmanabhapuram.
2. Do Through
The Session Judge, Kanyakumari District. (BY FAX ALSO)
- 3.The Sub Court, Padmanabhapuram.
- 4.The Sub Inspector of Police,
Kulasekaram Police Station,
Kanyakumari District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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SUN(CO)
TR(29.11.2021) 2P 6C