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Crl.O.P.(MD).No.17200 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

Crl.O.P. (MD) .No.17200 of 2017

and

Crl.M.P. (MD) Nos.11276 and 11277 of 2017

1. K.Subbaiah @ Raju,
2. R.Kumaresan,
3. R.Kathiresan,
4. M.Ramakrishnan, ... Petitioners
Vs.

1. State through
The Inspector of Police,
District Crime Branch,
Dindigul.
(Crime No.79 of 2011)

2.R.Alagarsamy, ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records from the learned Judicial Magistrate No.II, Dindigul, in C.C.No.597 of 2013 and quash the same.

For Petitioners :Mr.M.Sheik Abdullah

For R-1 : Mr.R.Anandharaj
Additional Public Prosecutor

For R-2 : Mr.A.Hariharan

O R D E R

This Criminal Original Petition is filed to quash the charge sheet in C.C.No.597 of 2013 on the file of the Judicial Magistrate No.II, Dindigul.

2. After some arguments, the learned counsel for the petitioners has expressed that an opportunity may be granted to them to raise all these grounds before the trial Court and also sought indulgence of this Court to withdraw this petition.

3. At the request of the learned counsel for the petitioners, this petition is dismissed as withdrawn. The learned counsel for the petitioners is directed to circulate a letter to this effect to the Registry.

4.Mr.A.Hariharan, learned counsel for the second respondent / defacto complainant submits that the occurrence was taken place in the year 2011 and though the final report has been



filed in the year 2013, the same is pending in view of this Criminal Original Petition. Therefore, he requested this Court to issue a further direction to the trial Court to conclude the trial within a stipulated time.

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5.Considering the request made by the respective learned counsel, the petitioners are permitted to raise all the grounds, that are raised before this Court, before the trial Court. Taking note of the pendency of the final report from the year 2013, this Court issues a further direction to the trial Court to expedite the trial and to conclude the trial within a period of six months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Is

To

1.The Judicial Magistrate No.II,
Dindigul.

2.The The Inspector of Police,
District Crime Branch,
Dindigul.

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

Crl.O.P. (MD) .No.17200 of 2017
and

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