



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CRL.OP (MD) No.11091 of 2019

and

Crl.M.P (MD) Nos.6981 & 6985 of 2019

1. Ramaraj @ Ramadass
2. Vijayaraj @ Vijayaraja
3. Ranjithkumar @ Vijayakumar

... Petitioners /Accused Nos.2 to 4

-vs-

1. The State represented by
The Inspector of Police,
Veerapandi Police Station,
Theni District.

(in Crime No.262 of 2017). ... 1st Respondent/Complainant

2. Packialakshmi

... 2nd Respondent/
De-facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records in C.C.No.322 of 2017, pending on the file of the Judicial Magistrate, Theni and quash the same.

For Petitioners : Mr.N.Tamilmani
For R1 : Mr.M.Muthumanikkam
Government Advocate (Crl. Side)
For R2 : No Appearance

ORDER

This Criminal Original Petition has been filed seeking orders to call for the records in C.C.No.322 of 2017, pending on the file of the Judicial Magistrate, Theni and quash the same.

2. On the basis of the complaint lodged by the second respondent, FIR came to be registered in Crime No. 262 of 2017 against four persons including the petitioners herein for the alleged offence under Sections 427, 294(b), 506 (i) and 109 IPC.

3. The first respondent after completing the investigation has



laid final report under Section 173 Cr.P.C., dated 29.08.2017 for the alleged offences under Sections 427, 294(b), 506(i) and 109 IPC., and the case was taken on file in C.C.No.322 of 2017 and the same is pending on the file of the Judicial Magistrate, Theni.

4. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) would submit that three witnesses were already examined before the trial Court and summons have been sent to the remaining accused.

5. At this juncture, the learned counsel for the petitioners would submit that, it would be suffice, if the learned Judicial Magistrate, Theni is directed to dispose of the case within the time stipulated by this Court.

6. Considering the above facts and circumstances and also taking note of the limited prayer now sought for by the petitioners, without expressing any opinion with regard to the merits of the case, this Court directs the learned Judicial Magistrate, Theni to complete the trial and to dispose of the case in C.C.No.322 of 2017, as expeditiously as possible, preferably, within a period of three months from the date of resumption of regular functioning of the trial Courts.

7. With the above directions, this Criminal Original Petition is disposed of. Consequently, the connected Criminal Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Accounts)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ebsi

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,
Theni.



2. The Inspector of Police,
Veerapandi Police Station,
Theni District.

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

+1 CC to M/s.N.TAMILMANI, Advocate (SR-4115[F] dated 04/02/2022)

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