



Crl.O.P.(MD) No.19042 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P (MD) No.19042 of 2022

and

Crl.M.P.(MD) Nos.12848 and 12849 of 2022

Rameesh @ Rameeshraja

...Petitioner

vs

**1.The Inspector of Police
District Crime Branch,
Sivagangai.
Crime No.35 of 2019**

2.K.Vellaichamy

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in C.C.No.80 of 2021 on the file of the learned Judicial Magistrate No.1, Sivagangai, quash the same against the Petitioner/sole accused.

For Petitioner : Mr.N.Mohideen Basha

**For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor**



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ORDER

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This Criminal Original Petition has been filed to quash the Charge Sheet in C.C.No.80 of 2021 pending on the file of the learned Judicial Magistrate No.1, Sivagangai.

2. When the case came up for hearing today, 03.11.2022, the learned Counsel for the second Respondent submits that this Court had already passed orders in Crl.O.P.(MD) No.14518 of 2022 on 13.10.2022. The relevant portion of the same reads as under:-

*“6. The learned Judicial Magistrate No.II, Sivagangai shall issue instructions to the Assistant Public Prosecutor appearing before the Court to appear on the specified date, when the witnesses are available and fix the date for examination of the witnesses as per the timetable on a day-to-day basis and complete the examination of the witnesses. Also, the learned Judicial Magistrate No.II, Sivagangai shall stick to the procedure of the examination of the witnesses as per the guidelines issued by the Hon'ble Supreme Court in the case of **Vinod Kumar Vs. State of Punjab** reported in **CDJ 2015 SC 115**. The learned Judicial Magistrate No.II, Sivagangai shall also not grant adjournments at the whims and fancies either to the accused or to the learned Counsel for the accused and complete the trial of CC.No.80 of 2021 within the specified period of 3 months from the date of receipt of a copy of this order.*



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7. With the aforesaid directions, this Criminal Original Petition is disposed of. If the accused fails to cooperate with the trial Court, the learned Judicial Magistrate No.II, Sivagangai, within his discretion can cancel the bail as per the reported ruling of the Hon'ble Supreme Court in the case of P.K.Shaji Vs. State of Kerala reported in (2005) AIR SCW 5560, thereby detaining the accused in prison till the trial is completed."

3. In the light of the above, this Petition is dismissed as infructuous.

Consequently, connected Miscellaneous Petitions are closed.

03.11.2022

Internet: Yes/No

Index: Yes/No

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To

1. The Judicial Magistrate No.I,
Sivagangai.

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

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

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SATHI KUMAR SUKUMARA KURUP, J.

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