



CrI.O.P.(MD) No.22877 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD) No.22877 of 2022

and

CrI.M.P.(MD) No.16200 and 16202 of 2022

Siddiq @ Mohamed Abubacker Siddiq

: Petitioner

Vs

State represented by

1. The Sub Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.
Crime No.143 of 2017

2. A.Sheik Mohamed,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records of the impugned charge sheet in C.C.No.143 of 2017, on the file of the learned Judicial Magistrate, Nanguneri and quash the same as illegal and quash the same as illegal.



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For Petitioner : Mr.S.M.A.Jinnah
For R1 : Mr.R.Sivakumar
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed seeking to quash the charge sheet in C.C.No.143 of 2017, on the file of the learned Judicial Magistrate, Nanguneri.

2.It is seen from the records that originally, there are five accused in the case in C.C.No.6 of 2011, on the file of the learned Judicial Magistrate, Nanguneri and since non-bailable warrant is pending against the petitioner, the case was ordered to be split up and numbered as C.C.No.143 of 2017, on the file of the learned Judicial Magistrate, Nanguneri. Further, since the prosecution has failed to produce the witnesses, the learned Magistrate has passed the order, dated 19.08.2017, stopping the further proceedings and thereby, releasing the accused under Section 258 Cr.P.C.

3.The learned Government Advocate (Crl.Side) appearing for the first respondent would submit that the petitioner has surrendered before the concerned Court and the warrant was recalled. Further, he would submit that



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the case is posted on 25.01.2023, for examination of P.W.1 to P.W 3.

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4.The learned Counsel appearing for the petitioner would submit that it would be suffice if the trial Court is directed to complete the trial, within a time stipulated by this Court.

5.Considering the above facts and circumstances and the limited prayer now sought for by the petitioner and also the fact that the case in C.C.No.143 of 2017, is pending from the year 2017, the learned Judicial Magistrate, Nanguneri, is directed to complete the trial in C.C.No.143 of 2017 and dispose of the same, as expeditiously as possible, preferably, within a period of two months, from the date of receipt of a copy of this order.

6.With the above direction, this criminal original petition stands disposed of. Consequently, connected miscellaneous petitions are closed.

23.12.2022

Internet:Yes
Index:Yes/No
lr

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To

1. The Judicial Magistrate, Nanguneri.

2. The Sub Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.

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



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K.MURALI SHANKAR, J.

lr

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