



WEB COPY



Crl.O.P.No.12647 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2023

CORAM

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

**Crl.O.P.No.12647 of 2023**

Deepika Gogul

... Petitioner

Vs.

1. The State represented by  
Inspector of Police,  
W-25, T.Nagar All Women Police Station,  
T.Nagar,  
Chennai.

2. Gokul Kanthampulli Chandran

3. V.Chanthren

4. Rema Devi Chanthren

... Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C.,  
to direct the Metropolitan Magistrate Court No.XVII at Saidapet, Chennai  
to expedite the case proceeding in C.C.No.2503 of 2021 within the time  
stipulated by this Hon'ble High Court.

For Petitioner : Mr.P.Govindarajan

For Respondents

R1 : Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl. Side)



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**ORDER**

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This Criminal Original Petition has been filed to direct the Metropolitan Magistrate Court No.XVII at Saidapet, Chennai to expedite the case proceeding in C.C.No.2503 of 2021 within the time stipulated by this Court.

2. The learned counsel for the petitioner submitted that though the proceeding in C.C.No.2503 of 2021, is pending from the year 2021, the first accused has not appeared so far for the reason that he is living abroad and that charges have not even been framed. Therefore, this petition.

3. The learned Government Advocate (Crl.side) appearing for the first respondent submitted that since the first accused is not appearing, there is no progress in the case.

4. A perusal of the daily status of the proceeding produced by the learned counsel for the petitioner shows that the first accused is not at all appearing before the Court. Petitions under Section 317 Cr.P.C have been



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repeatedly filed for condoning his absence and allowed. Therefore, the learned Metropolitan Magistrate No.XVII at Saidapet, Chennai is directed to ensure the appearance of the first accused before the Trial Court to proceed with the case. The petition under Section 317 Cr.P.C should no more be entertained for condoning the absence of the first accused, unless there is a compelling reason. After securing the appearance of the first accused, the learned Metropolitan Magistrate No.XVII at Saidapet, Chennai is directed to dispose of the case in C.C.No. 2503 of 2021 as expeditiously as possible.

5. Accordingly, this Criminal Original Petition is disposed of.

07.06.2023

Index:Yes/No  
Speaking/Non speaking order  
mn



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**G.CHANDRASEKHARAN.J.,**

mn

To

1. The Inspector of Police,  
W-25, T.Nagar All Women Police Station,  
T.Nagar,  
Chennai.
2. The Public Prosecutor,  
High Court of Madras.

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