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Crl.O.P.No.13698 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.13698 of 2023

C.Shantha

...

Petitioner

VS

The State through
The Inspector of Police,
G-4, Cheyyur Police Station,
Kancheepuram District.
(Crime No.1100 of 2014)

...

Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, issue a direction to complete the trial proceedings in C.C.No.39 of 2020 now pending on the file of the learned Judicial Magistrate, Cheyyur within the time stipulated period.

For Petitioner

...

Mr.R.Ganesh Kumar

For Respondent

...

Mr.Leonard Arul Joseph Selvam
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed for directing to complete the trial proceedings in C.C.No.39 of 2020 now pending on the file of the learned Judicial Magistrate, Cheyyur within the time stipulated period.

2. It is the submission of the learned counsel for the petitioner that, petitioner is the defacto complainant in C.C.No.39 of 2020 pending on the file of the Judicial Magistrate, Cheyyur, The offence was committed in the year 2014, however, due to delay in completion of the investigation and filing of the final report, the case was taken on file in C.C.No.39 of 2020. One of the accused namely 7th accused filed petition for quashing the criminal proceedings against him and that was allowed and other accused are facing trial. Though the case is pending from the year 2020, not even charges are framed in this case against the accused.

3. Learned Government Advocate (Criminal side) submitted that, if summons are issued, witnesses would be produced before the Court for trial.

4. This Court does not understand the reason for not framing charges, though the case is pending from the year 2020. Therefore, this Court is inclined to



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allow this petition, with the following directions,

(i) This Court directs learned Judicial Magistrate, Cheyur to immediately frame the charges against the accused and proceed further with the case.

(ii) If accused do not co-operate with framing of the charges, and learned trial Magistrate is directed to explore the possibility of canceling the bail and proceed further.

(ii) The learned Judicial Magistrate, Cheyur is directed to complete the trial as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this Order.

5. In the result, this Criminal Original Petition is allowed, with the aforesaid directions.

21.06.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

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G.CHANDRASEKHARAN, J.

gd

To

- 1.The Judicial Magistrate,
Cheyyur.
- 2.The Inspector of Police,
G-4, Cheyyur Police Station,
Kancheepuram District.
- 3.The Public Prosecutor,
High Court, Madras.

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