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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.20655 of 2023

P.Kumarasamy

... Petitioner

Vs.

The Inspector of Police,
Puliampatti Police Station
Erode District.
(Crime No.49 of 2015)

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Mahila Court, Erode to conclude the trial of the SC No. 43 of 2018 expeditiously within the same frame fixed by this Court.

For Petitioner : Mr.S.Kamadevan

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This criminal original petition has been filed for a direction to the Mahila Court, Erode to conclude the trial in SC No. 43 of 2018.



2.The learned counsel for the petitioner submitted that the case was committed to the Mahila Court, Erode in the year 2018 and from then on, there is absolutely no progress and even charges have not been framed till date.

3.The learned Additional Public Prosecutor on instructions submitted that there are totally 13 accused persons in this case and A8 is absconding and non-bailable warrant is pending against him from 17.08.2020 onwards.

4.In the considered view of this court, the sessions case has been pending before the Court below for nearly 5 years without any progress. The non-bailable warrant as against A8 is pending for the last three years. In view of the same, if the concerned accused person is not able to be apprehended within a reasonable time, the Court below is directed to split up the case and proceed further with the trial as against the other accused persons. At the same time, the respondent police shall also take all efforts to secure A8 and to produce him before concerned Court. If A8 had been enlarged on bail, the court below is directed to cancel the bail and ensure that the progress of the trial is not disrupted.



5.This criminal original petition is disposed of with a direction to the Mahila Court, Erode to dispose of the SC No. 43 of 2018, within a period of six months from the date of receipt of copy of this order.

08.09.2023

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
Neutral Citation : Yes/No
ssr

To

- 1.The Mahila Court, Erode.
- 2.The Inspector of Police,
Puliampatti Police Station
Erode District..
- 3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

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