



Crl.O.P.No.22358 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22358 of 2023

and

Crl.M.P.No.15523 of 2023

Vettukilli @ T.Senthil Kumar

... Petitioner

Vs.

1.The State Rep.by
Inspector of Police,
Neyveli Township Police Station,
Neyveli.

2.J.Jothimurugan

...

Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records relating to C.C.No.20 of 2013 in Cr.No.564 of 2012 on the file of the District Munsif cum Judicial Magistrate, Neyveli and to quash the same.

For Petitioner : Mr.S.Saranraj

For R1 : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition is filed by the accused, who is facing trial for the offence under Section 392 IPC.



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2. The learned counsel appearing for the petitioner submitted that the FIR was registered on 28.12.2012. The final report was filed on 12.02.2013 and assigned C.C.No.20 of 2013 on the file of the District Munsif cum Judicial Magistrate, Neyveli. Even after lapse of 10 years, there is no progress in the trial Court.

3. This Court directed the learned Government Advocate (Crl.Side) to collect the reason for prolong delay and to report before this Court. Accordingly, the learned Government Advocate (Crl.Side) reported that after C.C., taken on file, the accused has not been appearing before the Court in person and in the block of 5 years, he appeared only for four hearings and for rest of the hearings, he had filed a petition under Section 317 Cr.P.C., to dispense with his physical appearance. Also in the interregnum period he abstain from appearing before the Court. Hence NBW was issued and recalled later. If the petitioner appears before the Court without absenting himself, then the trial can be completed within a period of four months.



4. It is a matter relating to chain snatching and therefore, the identity of the accused is required when the witnesses are examined. The petitioner herein who has conveniently abstained from appearing physically before the Court and resorting to file petition under Section 317 Cr.P.C., is now before the Court blaming the prosecution and the Court for not completing the trial within reasonable time.

5. If the accused co-operate for speedy trial, the trial Court is directed to complete the trial preferably within a period of four months from the date of receipt of a copy of this order. In view of the above facts, the petitioner shall appear in person on every hearing, failing which, necessary action be taken for non co-operation for completing the trial.

6. In the result, this Criminal Original Petition is dismissed. Consequently, the connected Criminal Miscellaneous Petition is also dismissed.

16.10.2023

Index : Yes/No
Neutral Citation : Yes/No
rpl



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Dr.G.JAYACHANDRAN,J.

rpl

To

1.The District Munsif cum Judicial Magistrate, Neyveli

2.The Inspector of Police,
Neyveli Township Police Station,
Neyveli.

3.The Public Prosecutor,
High Court, Madras.

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