



Crl.O.P.(MD)No.11976 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2023

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD)No.11976 of 2023
and Crl.M.P(MD).Nos.9452 and 9453 of 2023

Bala @ Balamurugan

... Petitioner

Vs.

1.State represented by
The Inspector of Police,
Rameswaram Temple Police Station,
Ramanathapuram District.
Crime No.50 of 2013.

2.Muniyasamy

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records impugned charge sheet in C.C.No.201 of 2016 on the file of the District Munsif cum Judicial Magistrate concerned and quash the same.

For Petitioner	: Mr.V.M.Jegadeeshapandiyan
For R1	: Mr.E.Antony Sahaya Prabahar Additional Public Prosecutor



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ORDER

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This Criminal Original Petition is filed seeking quashment of charge sheet in C.C.No.201 of 2016 registered against the petitioner/A5 for the offence punishable under Sections 147, 448, 427 and 379 of IPC.

2. It is submitted by the learned counsel appearing for the petitioner that he is always ready to co-operate with the trial, but the trial could not be proceeded with. Therefore, he sought for quashment of the charge sheet. The offence allegedly took place in the year 2013 and the Police have completed the investigation and filed a charge sheet in the year 2016. Since then, there is no progress at all, even after a lapse of 7 years.

3. The learned Additional Public Prosecutor appearing for the respondent Police submits that on account of pendency of non-bailable warrant since 2021 against A2, the trial could not be proceeded with.

4. Considering the facts and circumstances, since except A2, other accused are available, the learned trial Judge is directed to take steps to



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split the case insofar as the A2 who is absconding and proceed in respect of A1, A3 to A5 and expedite the trial and dispose of the same as early as possible not later than six months from the date of receipt of a copy of this order.

5. Accordingly, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petitions are closed.

03.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
ssb

To

1. The Inspector of Police,
Rameswaram Temple Police Station,
Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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DR.D.NAGARJUN,J

ssb

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