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Crl.O.P.(MD)No.19252 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.03.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) No.19252 of 2022
and Crl.M.P.(MD).Nos.13021 and 13022 of 2022

1.A.M.Mansoor
2.Bousal Karima
3.Muhamad Eliyas @ Eliyas,
4.Karuppasami
5.A.T.S.Subramanian ... Petitioners /Accused 1, 2, 4, 5 & 6

Vs.

1.State rep. by
The Inspector of Police,
District Crime Branch Police Station,
Thanjavoor District.
Crime No.7 of 2007. ... 1st Respondent/Complainant
2.Balandran ... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned charge sheet in C.C.No.407 of 2012 on the file of the Judicial Magistrate, Pattukkottai and quash the same as illegal.



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For Petitioners : Mr.B.Saravanan
For R1 : Mr.S.Manikandan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking to quash the impugned charge sheet in C.C.No.407 of 2012 on the file of the Judicial Magistrate, Pattukkottai.

2.It is seen from the CD file that the trial has been transferred to Fast Track Court (Magisterial Level), Pattukottai as per the proceedings of the Chief Judicial Magistrate, Thanjavur @ Kumbakonam, dated 20.07.2022.

3.The learned counsel for the petitioner would submit that even though the crime is of the year 2007, the final report has been filed in the year 2010 and the same was taken cognizance in the year 2012. Even after lapse of 11 years, not even single witness has been examined by the trial court.

4.The learned Additional Public Prosecutor would submit that even though there is a long delay on the part of the prosecution, since now it



was transferred to other Court, the matter will be completed within a reasonable time.

5.The learned counsel for the petitioner would submit that he will be satisfy, if a direction is given to expedite the trial process and complete the same within a period of six months.

6.Considering the request made by the petitioner, there shall be a direction to the learned Judicial Magistrate, Fast Track Court, Pattukottai, to expedite the trial process in this case and complete the same, within a period of **five** months. It is made clear that on no account time will be granted.

7.With the above directions, this criminal original petition is **disposed of**. Consequently, connected miscellaneous petitions are closed. However, considering the age of the petitioners, their personal appearance before the trial Court is dispensed on following condition.

(i)The petitioner shall appear before the learned Judicial Magistrate, Fast Track Court, Pattukkottai, within a period of 15 days from the date of receipt of a copy of this order and file an undertaking affidavit, by affixing his recent passport size photograph, to the effect that he will appear



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before the trial Court as and when required and must ensure his proper representation through Advocate.

08.03.2023

Index : Yes/No

Internet : Yes/No

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To

1.The Judicial Magistrate, Pattukkottai.

2.The Judicial Magistrate, Fast Track Court, Pattukkottai.

3.The Inspector of Police,
District Crime Branch Police Station,
Thanjavoor District.
Crime No.7 of 2007.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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