



Crl.O.P.(MD)No.8177 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:22.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD) No.8177 of 2022

Vetrikumaran

... Petitioner/6th Accused

Vs.

**The Inspector of Police,
C-3, S.S.Colony Police Station,
Madurai City.**

... Respondent/Complainant

Prayer: The Criminal Original Petition is filed under Section 482 of Cr.P.C., to set aside the order in Crl.MP.No.1317 of 2020 dated 04.09.2021 passed by the Judicial Magistrate No.V, Madurai and direct to split up the case in PRC.No.77/2018 and decide the same on merits and dispose the same within the time stipulated by this Court.

For Petitioner

: Mr.Selvakumar V

For Respondent

**: Mr.S.Manikandan,
Government Advocate (Crl.side)**



Crl.O.P.(MD)No.8177 of 2022

ORDER

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The Criminal Original Petition is filed to set aside the order in Crl.MP.No.1317 of 2020 dated 04.09.2021 passed by the Judicial Magistrate No.V, Madurai and direct to split up the case in PRC.No. 77/2018 and decide the same on merits and dispose the same within the time stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

3. The case of the petitioner is that after completing the investigation in Crime No.153 of 2018, the respondent Police filed a Charge Sheet in P.R.C.No.77 of 2018 before the learned Judicial Magistrate No.V, Madurai as against the petitioner and others, but till date, the trial is not completed. The petitioner has filed a petition in Cr.M.P.No.1317 of 2020 before the learned Judicial Magistrate No.V, Madurai, to split up the case as against the petitioner, but the same was dismissed on 04.09.2021 on the ground that the petitioner has been

2/5



Crl.O.P.(MD)No.8177 of 2022

WEB COPY

implicated in the said case based on the confession statement only, so the joint trial is very much necessary. Challenging the same, the present petition has been filed.

4. The learned counsel appearing for the petitioner would submit that it would suffice, if this Court directs the trial Court to split up the case as against the petitioner and complete the trial within the time stipulated by this Court.

5. The learned Government Advocate (Crl.Side) would submit that if any of the accused is abscond, the case will be split up as against him. Further, the trial will be completed within a period of six months.

6. In view of the submission made by the both sides, this Court is inclined to issue a direction to the concerned trial Court to complete the trial within a period of six months from the date of receipt of copy of this order.



Crl.O.P.(MD)No.8177 of 2022

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7. With the above said direction, this Criminal Original Petition is disposed of.

22.02.2024

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

Indu

To:

- 1.The Inspector of Police,
C-3, S.S.Colony Police Station,
Madurai City.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.8177 of 2022

M.DHANDAPANI,J.

Indu

Crl.O.P.(MD) No.8177 of 2022

22.02.2024