



Crl.O.P.(MD)No.13069 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.08.2023**

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD)No.13069 of 2023

1.Thangavel
2.Vathan @ Karuppasamy
3.Surya Prakash
4.Praveen Kumar

... Petitioners

Vs.

State rep. by
The Inspector of Police,
Palani Taluk Police Station,
Dindigul District.
In Crime No.446 of 2008

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate, Palani to dispose of the case in C.C.No.146 of 2010 within a time limit as fixed by this Court.

For Petitioner : Mr.R. Venkateswaran

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



Crl.O.P.(MD)No.13069 of 2023

ORDER

WEB COPY

This Criminal Original Petition is filed seeking for direction to dispose of the case in C.C.No.146 of 2010, pending on the file of learned Judicial Magistrate, Palani within a time frame fixed by this Court.

2. This case in C.C.No.146 of 2010 and the other case in C.C.No. 195 of 2009 are arising out of same incident and thereby, both the cases are pending at the stage of arguments. The learned Judicial Magistrate stated to have opined that two separate prosecutors are required to prosecute the case.

3. It is strange that the learned Judicial Magistrate at the stage of arguments has felt that there is a requirement of separate prosecutors, for these two cases. If at all the Court has felt that two prosecutors are required for both the cases, steps should have been taken prior to commencement of the trial itself. There is no record whether any letter was addressed to engaging the services of the Special prosecutor.



Crl.O.P.(MD)No.13069 of 2023

4. Keeping in view of the fact that this case is pending for more than last 13 years, the learned Magistrate is directed to dispose of the cases as expeditiously as possible preferably within a period of two months from the date of receipt of a copy of this order.

5. With the above observation, this Criminal Original Petition is disposed of.

31.08.2023

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

To

1. The Inspector of Police,
Palani Taluk Police Station,
Dindigul District.

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

3/4



WEB COPY



Crl.O.P.(MD)No.13069 of 2023

DR.D.NAGARJUN,J

trp

Crl.O.P.(MD)No.13069 of 2023

Dated: 31.08.2023