

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.27065 of 2015

Nariyan @ Balamurugan ..... Petitioner/A3 (Javenila)

Vs

State rep. By  
The Inspector of Police,  
Kurunjipadi Police Station,  
Cuddalore District. .... Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the Juvenile Justice Board, Cuddalore to expedite the trial in **\*J.C.No.49** of 2012 on the file of Juvenile Justice Board, Cuddalore to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For respondent : Mr.C.Emalias  
Addl.Public Prosecutor.

O R D E R

This petition has been filed to direct the Juvenile Justice Board, Cuddalore, to expedite the trial in **\*J.C.No.49** of 2012 on the file of the said Court.

2. The petitioner has submitted that he belongs to Scheduled Caste Community and with great financial constraint, the petitioner passed five years Law Course and intend to enrol himself as an Advocate. The petitioner further submitted that due to pendency of the case in **\*J.C.No.49** of 2012 on the file of the Juvenile Justice Board, Cuddalore, for the offence under section 147 and 306 of IPC, he is not in a position to enrol as an Advocate. The petitioner preferred a petition to quash the proceedings and the same was dismissed on 07.10.2015. In the meantime, the petitioner has preferred this petition to direct the Juvenile Justice Board, Cuddalore, to expedite the trial.

3. Learned counsel for the petitioner further submitted that the occurrence is said to have taken place on 10.08.2003 and almost twelve years have lapsed from the date of occurrence. In fact, the first accused was convicted in S.C.No.136 of 2005 and the appeal in C.A.No.224 of 2008 is pending on the file of this Court and the records were sent by the Sessions Court to this Court and due to the pendency of the appeal before this Court and that the records were sent to this Court, the trial before the Juvenile Justice Board, Cuddalore, is delayed.

4. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the respondent.

5. In view of the submissions made on either side, this Court is constrained to pass the following order.

i) The Registry is directed to send back the records pertaining to **\*S.C.No.136 of 2005** to the Juvenile Justice Board, Cuddalore after taking a xerox copy of the same.

ii) On receipt of the said records, the Juvenile Justice Board, Cuddalore, is directed to expedite the trial and pass orders within a period of two months.

iii) On completion of trial, the Juvenile Justice Board, Cuddalore, is directed to send back the records to this Court.

Accordingly, the criminal original petition is disposed of.  
vsi

s/d-

Assistant Registrar(CS-VI)

**In Page 153, corrections were made as per order of this court dated 08.03.2016 in CrI.O.p.27065/2015.**

**Sd/-**

**Assistant Registrar (CS IV)**  
**15.03.2016**

True Copy

Sub-Assistant Registrar

To

1. The Juvenile Justice Board, Cuddalore.
2. The Inspector of Police, Kurunjipadi Police Station, Cuddalore District.

3. The Public Prosecutor,  
High Court, Chennai.

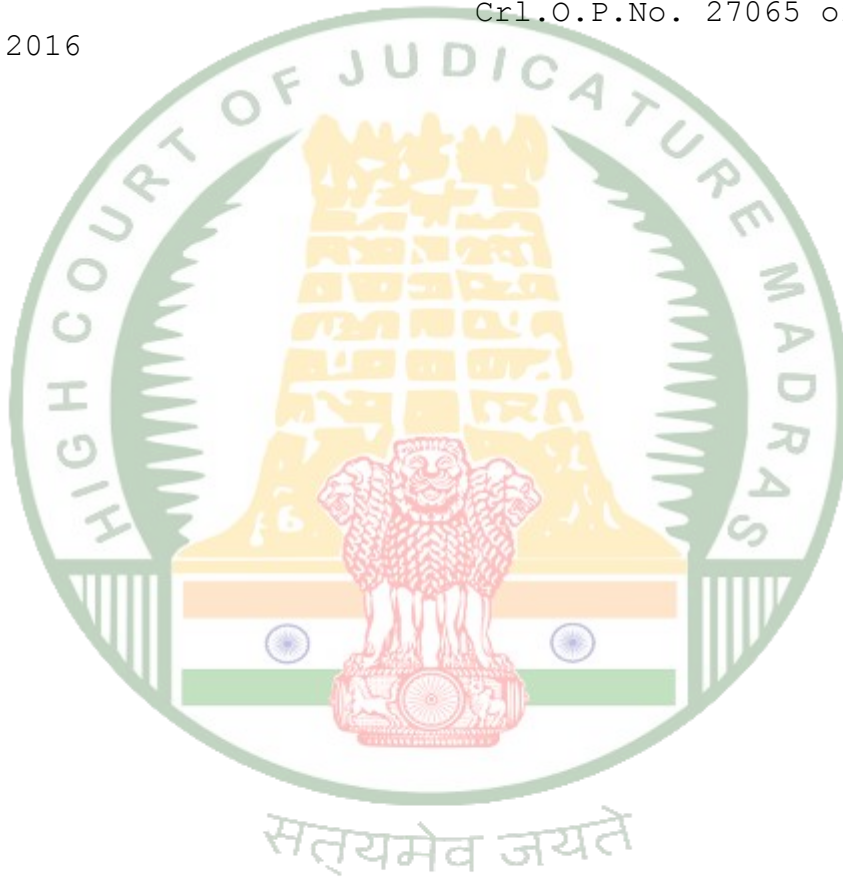
To be substituted to the order  
already despatched on 30.12.15

Copy to:  
The Section Officer,  
Criminal Section,  
High Court, Madras 104.

+ 1 cc to Mr.R.Sankarasubbu, Advocate SR **14893**

sv(co)  
prk30/11  
kra 15.03.2016

CrI.O.P.No. 27065 of 2015



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