



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.11.2015

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Cr1.O.P. (MD)No.20962 of 2015

and

M.P. (MD)No.1 of 2015

1.Balaji
2.Saroja Selvam
3.Selvakumar

... Petitioners / Accused No.1to3

-Vs-

The State Rep.by
The Inspector of Police,
All Women Police Station,
Srivilliputtur,
Virudhunagar District.

... Respondent / Complainant

PRAYER: Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the learned Judicial Magistrate No.2, Srivilliputtur, to dispose of C.C.No.183 of 2013 within a stipulated period.

For Petitioner : Mr.S.Sivathilakar
For Respondent : Mr.A.P.Balasubramani
Govt.Advocate (crl.side)

O R D E R

This petitioner has come forward with this application, seeking a direction to the learned Judicial Magistrate No.2, Srivilliputtur, to dispose of C.C.No.183 of 2013 within a stipulated period.

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

3. Mr.S.Sivathilakar, learned counsel for the Petitioners submitted that the learned Judicial Magistrate No.2, Srivilliputtur, may be directed to dispose of C.C.No.183 of 2013 within a stipulated period and in the meantime, the personal appearance of the petitioners may be dispensed with.

4. Mr.A.P.Balasubramani, learned Government Advocate (crl.side) appearing for the State would submit that the petitioner did not show any interest to cross-examine the witnesses viz., P.Ws. 1 to 9.



5. In the normal circumstances of the case, this Court would have granted the relief of dispensing with the personal appearance of the petitioners, but, in the case, according to the learned Government Advocate (crl.side), the petitioners have not shown any interest to cross-examine the witnesses viz., P.Ws.1 to 9 and therefore, I am not inclined to grant the request of the petitioners to dispense with their personal appearance. However, considering the facts and circumstances of the case, the learned Judicial Magistrate No.2, Srivilliputhur, is directed to dispose of C.C.No.183 of 2013, as expeditiously as possible. Further, the learned Judicial Magistrate is directed to hear the matter on day-to-day basis and the matters shall not be adjourned beyond seven working days, at any point of time. The petitioners are also directed to cross-examine the witnesses viz., P.Ws.1 to 9, without taking any adjournment and to co-operate for completion of the trial.

6. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.2, Srivilliputtur,

2.The Inspector of Police,
All Women Police Station,
Srivilliputtur,
Virudhunagar District.

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

+1 CC to Mr.S.SIVATHILAKAR, Advocate, SR No.66305

Cr1.O.P. (MD) No.20962 of 2015
02.11.2015

MPK

SH/KBM:24.11.2015:2P/5C