

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.26566 of 2016

1.Balasubramani
2.Boovaraghava Moorthy
3.Arivu @ Arivazhagan
4.Kumaran
5.Bonda @ Venkatesan

Petitioners

Vs

State, rep. By
The Sub Inspector of Police,
Gingee Police Station,
Gingee, Villupuram District. ... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Judicial Magistrate, Gingee, to dispose of the case in C.C.No.261 of 2013 on merits as soon as possible preferably within a period of three months on the file of the learned Judicial Magistrate, Gingee, Villupuram District by allowing the criminal original petition.

For Petitioners : Mr.C.Munusamy

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

ORDER

The present criminal original petition has been filed seeking a direction to the learned Judicial Magistrate, Gingee, Villupuram District, to dispose of the case in C.C.No.261 of 2013 pending on his file, on merits as soon as possible preferably within a period of three months.

2. It is the case of the petitioners that on the basis of the complaint dated 25.2.2012 given by one M.Kannappa Chettiar, a case was registered as against the petitioners in Crime No.659 of 2012 by the respondent police. In the said case, after completion of investigation, charge sheet was filed before the learned Judicial Magistrate, Gingee, as early as in the year 2012 and the same was taken on file as C.C.No.261 of 2013. Thereafter, the petitioners are appearing before the said court for the past four years without any default. However,

there is no progress in the trial for the past three years. Hence, they have filed the present petition seeking a direction to the learned Judicial Magistrate, Gingee, to dispose of the case in C.C.No.261 of 2013 within three months.

3. I have heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

4. Considering the facts and circumstances of the case and considering the fact that the case in C.C.No.261 of 2013 is pending for the past three years, this Court is inclined to direct the learned Magistrate to dispose the case within a stipulated time.

5. Accordingly, the learned Judicial Magistrate, Gingee, Villupuram District, is directed to dispose of the case in C.C.No.261 of 2013 pending on his file, within a period of four months from the date of receipt of a copy of this order. The criminal original petition is disposed of accordingly.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

sbi

To

1.The Judicial Magistrate,
Gingee, Villupuram District

2.The Sub Inspector of Police,
Gingee Police Station,
Gingee, Villupuram District.

3.The Public Prosecutor,
High Court, Madras.

1 cc to M/s.C. Munusamy, Advocate, Sr. 74242

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SSK (CO)
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