

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.5015 of 2016

C.Sreenivas

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Kirumambakkam Police Station,
Puducherry.
(Crime No.140/2013)

.. Respondent

Prayer:

Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate - II, Puducherry to dispose of the protest petition in Crl.M.P.No.1269/2015 on the file of the learned Judicial Magistrate - II, Puducherry within a period of 2 months specified by this Court.

For Petitioner : Mr.Sundar Mohan
for Mr.Suresh

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

सत्यमेव जयते
O R D E R

The petitioner has come forward with this petition seeking for a direction to the learned Judicial Magistrate - II, Puducherry to dispose of the protest petition in Crl.M.P.No.1269/2015, within a period of 2 months.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. The learned counsel appearing for the petitioner would submit that on the basis of the complaint given by the petitioner, a case in Crime No.140/2013 has been registered

under Section 174 Cr.P.C and subsequently, it was altered to Section 306 IPC and a chargesheet has also been filed. However, the respondent had not investigated the matter in proper direction and hence, the petitioner approached this Court by filing a Criminal O.P.No.15018/2015, wherein this Court had directed the petitioner to file a protest application before the learned Judicial Magistrate - II, Puducherry. Pursuant to the said order, the petitioner had filed a protest application in CrI.M.P.No.1269/2015 on the file of the learned Judicial Magistrate - II, Puducherry. However, the said application had not seen the light of the day and hence, the petitioner has come forward with this petition for the above stated relief.

4. Considering the argument advanced by the learned counsel for the petitioner and also the averments made in the petition that the petitioner has filed the protest petition in CrI.M.P.No.1269/2015 on the file of the learned Judicial Magistrate - II, Puducherry as early as August 2015 and it is yet to be disposed of, I am of the view that it is a fit case to direct the learned Trial Judge to dispose of the matter within a specified time.

5. Accordingly, the learned Judicial Magistrate - II, Puducherry is directed to dispose of the protest petition in CrI.M.P.No.1269/2015 within a period of two months from the date of receipt of a copy of this order.

6. The Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1.The Judicial Magistrate No.II, Puducherry.

2.The Inspector of Police,
Kirumbakkam Police Station,
Puducherry.

3.The Public Prosecutor
High Court, Chennai.

+1 cc to Mr.M.Suresh, Advocate, sr.14855

CrI.O.P.No.5015 of 2016

msm co

kra 17.03.2016