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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

CrI.O.P.(MD).No.11849 of 2016

Arul Thangam

.. Petitioner

Vs.

Rajaram

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Judicial Magistrate, Nanguneri to dispose the CC.No.186 of 2015 within a stipulated time as fixed by this Court.

For Petitioner : Mr.R.Ilayaraja

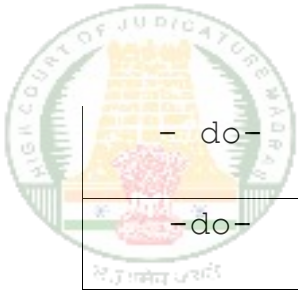
ORDER

This petition has been filed, seeking a direction to the Judicial Magistrate, Nanguneri to dispose the C.C.No.186 of 2015 within the time to be fixed by this Court.

2.A case is pending against the respondent herein before the Judicial Magistrate, Nanguneri for the offences punishable under Sections 294(b), 323, 506(i) IPC r/w Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, altered to Sections 294 (b), 323, 325 and 506(i) IPC r/w Section 4 of the Tamil Nadu Prohibition of Women Harassment Act.

3.It is the case of the petitioner that the respondent is refusing to receive summons and the matter is adjourned only on the simple ground of issuing summons. In support of the same, the status of the case has been furnished. Following are the hearing dates and the purpose of hearing is mentioned as under:

Registration No.	Judge	Business on Date	Hearing Date	Purpose of hearing
100186/2015	Principal District Munsif cum Judicial Magistrate	08.01.2016	04.03.2016	Fresh summon



- do -	-do-	04.03.2016	11.04.2016	Fresh summon
-do-	-do-	11.04.2016	27.12.2016	Fresh summon

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4.Having regard to the limited prayer, notice to the respondent is dispensed with.

5.From the entries made in the docket, this Court is not able to understand whether summons have been issued to the respondent or not; if issued, whether it has been served or not served; if summons have been returned, on what ground it has been returned. Without knowing the stage of the summons issued, the Court would not be in a position to proceed or to direct further course of action to be taken. Posting the case after seven months simply ordering fresh summons, is not in the interest of fair trial.

6.Under such circumstances, the Judicial Magistrate, Nanguneri is directed to dispose of C.C.No.186 of 2015 within a period of three months from the date of receipt of a copy of this order.

7.With the above direction this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AE)

/TRUE COPY/

Sub Assistant Registrar

To

The Judicial Magistrate, Nanguneri,
Thirunelveli District.

+1 cc to Mr.P.Mani Anandh,Advocate, SR.No.37011.

mj

Msr/12.08.16/DB/2p-3c

Cr1.O.P (MD) No.10849 of 2016
15.07.2016