



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.O.P. (MD) .No.18862 of 2016

Kumaresan

.. Petitioner

Vs.

The Inspector of Police,
Eraniel Police Station,
Kanyakumari District,
In Crime No. 122/2008

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Learned Sessions Judge, Nagercoil to speed up and complete the trial in S.C.No.87/2009 against the petitioner/Accused No.5 in connection with the Crime No.122 of 2008 within stipulated time framed by this Court.

For Petitioner

: Mr.H.Velavadhas

For respondent

: Mr.K.Anbarasan

Government Advocate
(Criminal side)

ORDER

The petitioner, who is arrayed as accused No.5 in S.C.No.87 of 2009 on the file of the Principal Sessions Judge, Nagercoil has filed this application seeking direction to dispose of the case within a stipulated time.

2.Heard Mr.H.Velavadhas, learned counsel appearing for the petitioner and the learned Government Advocate (Cr1.side) appearing for the respondent and perused the materials on record.

3.The learned counsel appearing for the petitioner would submit that though the case was registered in the year 2008 and it was taken on file in S.C.No.87 of 2009 however, for the past 7 years, there is no progress, which causes mental agony and much hardship to the petitioner.

4.Per contra, the learned Government Advocate (Cr1.side) would submit that the respondent police is ready to pursue with the case and in view of the pendency of the earlier quash petition filed by the petitioner, the trial could not be commenced and if a direction is given, the respondent police is ready to co-operate



with the case. He further submitted that all the accused are appearing before the trial court regularly and there is no Non-Bailable Warrant is pending.

5. In view of the facts and circumstances of the case, the Principal Sessions Judge, Nagercoil is directed to dispose of the case in S.C.No.87 of 2009 as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub-Assistant Registrar

To

1.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

2.The Principal Sessions Judge,
Nagercoil.

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

+1cc to Mr.H.Velavadhas, Advocate Sr.No.72815

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JAM/DB:14.12.2016:2P/5C