



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

Cr1.O.P. (MD) .No.20379 of 2016

1.O.Sampath

2.L.Stanley

.. Petitioners / A2 & A3

Vs.

1.The State of Tamil Nadu represented by
The Inspector of Police,
Thucklay Police Station,
Kanyakumari District.
(Crime No.148 of 2016).

.. Respondent/complainant

2.S.George

.. Respondent/*defacto* complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate, Padmanabhapuram to dispose of C.C.No.26 of 1999 within a reasonable time period to be fixed by this Court.

For Petitioner

: Mr.N.Dilip Kumar

For respondents

: Mr.K.Anbarasan

Government Advocate (Criminal side)

ORDER

It is an application seeking a direction to the learned Judicial Magistrate, Padmanabhapuram, to dispose of C.C.No.26 of 1999 within a timelimit.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side) appearing for the State.

3. The learned counsel for the petitioner would submit that though the case against the petitioners was registered in the year 1996 in Crime No.148 of 1996, for the offences under Sections 147, 148, 341, 324, 323 and 379 of I.P.C., which was also taken on file in the year 1999; for the past 17 years, there is no progress in the case, which causes undue hardship and mental agony to the petitioners and that the petitioners are entitled for speedy disposal as guaranteed under Article 21 of the Constitution of



4. According to the learned Government Advocate (Crl. Side) the case is pending only due to the non-cooperation of the accused and now the final summons has issued to the witnesses for their appearance on 22.11.2016.

5. Considering the above facts, without going to the merits of the case, the learned Judicial Magistrate, Padmanabhapuram, is directed to dispose of the case in C.C.No.26 of 1999, as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order, provided the accused extend their co-operation.

7. With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Padmanabhapuram.
2. The Inspector of Police,
Thucklay Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.N.DILIP KUMAR, ADVOCATE SR.No. 63445

pjl

AM-SS-2-SAR.3-10.11.16-2P:5C

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