



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2016

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD).No.21567 of 2016

Appukuttan

.. Petitioner

Vs.

1.The Inspector of Police,
Kottar Police Station,
Nagercoil,
Kanyakumari District.
2.Thomas Zachria
3.Mathew Zachria
4.Jasmin Thomas Zacharia
5.Mohan
6.Ramakrishnan

.. Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the learned Judicial Magistrate No.II, Nagercoil, to dispose of the case in C.C.No.442 of 2011 within a stipulated time as fixed by this Court.

For Petitioner : Mr.G.V.Vairam Santhosh
For Respondent : Mr.P.Kannithevan
Government Advocate (Crl. Side)
for R1

O R D E R

This petition is filed to direct the learned Judicial Magistrate No.II, Nagercoil, to dispose of the case in C.C.No.442 of 2011 within a stipulated time.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the first respondent.

3. The learned counsel for the petitioner would submit that based on the petitioner's complaint, a case was registered in Crime No.519 of 2009 against the accused persons and after filing the final report, it was taken on file as C.C.No.397 of 2010. Due to continuous absconding of A2, subsequently, the case in C.C.No.397 of 2010 was split up and a new C.C.number, ie., C.C.No.442 of 2011 was assigned in the year 2011 and even thereafter there was no substantial progress, which causes undue



hardship and mental agony to the petitioner. Hence, the petitioner has filed this present petition.

4. The learned Government Advocate (Crl. Side), on instructions, would submit that now the case has been posted for trial on 23.11.2016 and on that day, the prosecution shall undertake to dispose of the case at the earliest.

5. Considering the submission made by the learned Government Advocate (Criminal Side), this petition is disposed of, with a direction to the learned Judicial Magistrate No.II, Nagercoil, to dispose of C.C.No.442 of 2011, as expeditiously as possible, preferably within a period of six months from the date of receipt of the copy of this order.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub-Assistant Registrar

To

1. The Judicial Magistrate No.II,
Nagercoil.
2. The Inspector of Police,
Kottar Police Station,
Nagercoil,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of the Madras High Court,
Madurai.

+1cc to M/S.G.V.Vairam Santhosh, ADVOCATE SR.No. 68642

PJL

miy:15/12/2016:2P/5C

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