



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2016

CORAM

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THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD).No.21568 of 2016

Appukuttan

.. Petitioner

Vs.

1.The Inspector of Police,
Kottar Police Station,
Nagerocil,
Kanyakumari District.

2.Mathew Zachria

.. 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.397 of 2010 within a stipulated time as fixed by this Court.

For Petitioner : Mr.G.V.Vairam Santhosh

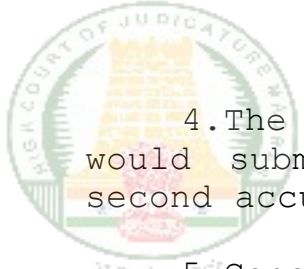
For Respondent : Mr.P.Kannithevan
Government Advocate (Crl. Side)
for R1

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.397 of 2010, 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 harassment 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 the respondent police is still tracing the second accused/2nd respondent herein.

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.397 of 2010, as expeditiously as possible.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub-Assistant Registrar

To

1. The Judicial Magistrate No.II,
Nagercoil.

1. The Inspector of Police,
Kottar Police Station,
Nagerocil,
Kanyakumari District.

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

+1cc to M/S.G.V.VAIRAM SANTHOSH, ADVOCATE SR.No. 68641

PJL

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

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