



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2016

CORAM:

THE HONOURABLE DR. JUSTICE S.VIMALA

Crl.O.P.(MD).No.9277 of 2016

G.Marimuthu

.. Petitioner

Vs.

State through the
Inspector of Police,
Thideernagar Police Station,
(Crime No.2135 of 2010)
Madurai City.

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the learned I-Additional District and Sessions Judge, Madurai, to expedite the trial in S.C.No.301 of 2014 on the file of the learned I-Additional District and Sessions Judge, Madurai, within a time frame.

For Petitioner : Mr.R.Rajamohan

For respondent : Mr.A.P.Balasubramani,
Government Advocate(Criminal side)

ORDER

It is an application seeking a direction to the learned I-Additional District and Sessions Judge, Madurai, to expedite the trial in S.C.No.301 of 2014, within a time frame.

2.The learned counsel for the petitioner would submit that due to brutal murder of the petitioner's brother, a case has been registered under Sections 302 and 379 IPC as early as on 14.09.2010; after nearly two years, the investigating agency filed a final report; after committal proceedings, the case has been taken on file by the learned I-Additional District and Sessions Judge, Madurai in S.C.No.301 of 2014; the same is pending trial for the past two years; due to long pendency of the case, the petitioner has come up with this petition for speedy disposal of the case.

3.When the matter came up for hearing on 24.06.2016, this Court called for remarks from the learned I-Additional District and Sessions Judge, Madurai, with regard to the averments raised in the affidavit filed in support of the petitioner. Accordingly, the learned Sessions Judge submitted a report on 29.06.2016 stating that due to non execution of the Non-Bailable Warrant issued against the 4th accused in the case, the trial is pending. When this was pointed out, the learned Government Advocate, on instructions, gave an undertaking that the respondent would execute the warrant issued against the 4th accused as early as possible,

preferably within two weeks.

4.Today, when the matter came up for hearing, the learned Government Advocate would submit that the Non-Bailable Warrant issued against the 4th accused in the case has been executed and the 4th accused has been produced before the Court below on 18.07.2016.

5.In view of the above submission of the learned Government Advocate, now, there is no difficulty for the trial Court to complete the trial and dispose of the case. Hence, the learned I-Additional District and Sessions Judge, Madurai is directed to complete the trial and dispose of the case in S.C.No.301 of 2014 within a period of four months from the date of receipt of a copy of this order.

5.This Criminal Original Petition is accordingly disposed of.

Sd/-
Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

gcg
To

1.I-Additional District and Sessions Judge,
Madurai.

2.The Inspector of Police,
Thideernagar Police Station,
Madurai City.

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

+1 cc TO Mr.R.Rajamohan, Advocate, SR.No.41324

JAM/SS 3/18.08.16/2P-5C

Cr1.O.P(MD)No.9277 of 2016
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