

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Cr1.O.P.No.22438 of 2016

K.Buvaneswari

... Petitioner

Vs

State rep. By its

1.The Superintendent of Police,
District Crime Branch,
Kancheepuram District.

2.The Inspector of Police,
District Crime Branch,
Kancheepuram District.

... Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. to expedite the trial in C.C.No.197 of 2011 on the
file of the learned Judicial Magistrate No.II at Chengalpet.

For Petitioner : Ms.K.Buvaneswari,
part-in-person

For respondents : Mr.C.Emalias,
Addl. Public Prosecutor

ORDER

The present criminal original petition has been filed seeking a direction to the learned Judicial Magistrate No.II at Chengalpet, to expedite the trial in C.C.No.197 of 2011 pending on his file.

2. It is the case of the petitioner that on the basis of the complaint given by her as against the accused persons, a case was registered in Crime No.104 of 2010 and in the said case, after completion of investigation, charge sheet was filed and the same was taken on file as C.C.No.197 of 2011. Now, the case is pending before the learned Judicial Magistrate No.II at Chengalpet. Though the case is of the year 2011, till date,

there is no progress in the said case. Hence, the petition.

3. The petitioner / party-in-person submitted that though there is a direction by the Hon'ble Supreme Court to the learned Judicial Magistrate No.II, Chengalpet, to dispose of the case in C.C.No.197 of 2011, in accordance with law, after hearing the parties, till date, the said case has not been disposed of.

4. I have also heard the learned Additional Public Prosecutor and perused the entire materials available on record.

5. From the materials available on record, I find that the Hon'ble Supreme Court, by order dated 18.2.2013, made in Criminal Appeal No.321 of 2013 (arising out of SLP (Crl) No.8779 of 2012), directed the learned Judicial Magistrate No.II, Chengalpet, to dispose of the case in C.C.No.197 of 2011, in accordance with law, after hearing the parties. Though the said direction was given as early as on 18.2.2013, even then, the learned Judicial Magistrate No.II, Chengalpet, has not disposed of the case in C.C.No.197 of 2011.

6. In view of the above facts and circumstances, this Court directs the learned Judicial Magistrate No.II, Chengalpet, to conduct trial of the case in C.C.No.197 of 2011 pending on his file on day to day basis and dispose of the same, within a period of three months from the date of receipt of a copy of this order. The criminal original petition is ordered accordingly.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sbi

To

1.The Judicial Magistrate No.II,
Chengalpet,

2.The Public Prosecutor,
High Court, Madras.

3.The Superintendent of Police,
District Crime Branch
Kancheepuram District

4.The Inspector of Police,
District Crime Branch,
Kancheepuram District.

+2ccs to M/s.K.Gajalakshmi Party in Person sr.2387

Crl.O.P.No.22438 of 2016

kj (co)
ss(20/01/2017)



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