



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.10848 of 2017

WEB COPY

Anthony Pitchai

... Petitioner/Accused No. 2

-Vs-

1.The State, Rep. By its,
The Sub Inspector of Police,
District Crime Branch,
Tuticorin District,
Tuticorin.

... 1st Respondent/Complainant

2.Darvin

3.Antony Raj

4.Bilominraj

... Respondents No.2 to 4/Accused No.1,3 & 4

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate No.III, Tuticorin, for speedy disposal of the criminal case in C.C.No.77 of 2017 within the stipulated time prescribed by this Court.

For Petitioner : Mr.S.R.Duraiaraj
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.Side).

O R D E R

This Criminal Original petition is filed seeking a direction to the learned Judicial Magistrate No.III, Tuticorin, for speedy disposal of the criminal case in C.C.No.77 of 2017 within the time stipulated by this Court.

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

3. The petitioner is the accused No.2 in the criminal case in C.C. No.77 of 2017 on the file of the learned Judicial Magistrate No.III, Tuticorin.

4. The case of the petitioner is that he hails from respectable family and that a case was registered in Crime No.9 of 2014 against one named accused and others for the alleged offences under Sections 465, 468, 471 and 420 IPC. The petitioner further stated that the complaint was registered, as if "No Objection" Certificate was obtained from the Revenue Authorities and that the same was produced before the Repco Bank, Tuticorin, for obtaining loan.



5. It is the specific case of the petitioner that he did not commit any offence as alleged by the respondent police and the petitioner's name did not find in the First Information Report. However, the petitioner's name was included at the time, when the respondent Police filed the charge sheet, which was taken on file in C.C.No.350 of 2016 before the learned Judicial Magistrate No.I, Tuticorin. Alleging that the petitioner was implicated falsely in the criminal case, this petition is filed seeking a direction for early disposal.

6. The learned counsel for the petitioner submitted that the petitioner is being put to untoward sufferings and that speedy disposal would be in the interest of justice.

7. Considering the nature of grievance expressed by the learned counsel for the petitioner in this case, this Court is inclined to issue the following direction:-

"The learned Judicial Magistrate No.III, Tuticorin, is directed to expedite the trial and to dispose of the criminal case, in C.C.No.77 of 2017 as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of this order."

8. The Criminal Original Petition is allowed, as indicated above.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate No.III, Tuticorin.

2.The Sub Inspector of Police,
District Crime Branch,
Tuticorin District,
Tuticorin.

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

+1cc to Mr.M.S.JEYAKARTHIK Advocate in SR. No.73145

KM/PMU

JS/KP/SAR.1/31.08.2017/ 2P-5C

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