



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD).No.14708 of 2017

Pasumpon Muthuramalingan

.. Petitioner/ Defacto
Complainant

Vs.

The State rep. by,
The Inspector of Police,
Melavalavu Police Station,
Madurai District.
(Crime No.238 of 2016)
Respondent/Complainant

. .

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate, Melur, Madurai District, to commit the P.R.C.No.19 of 2017 to the learned Principal District and Sessions Judge, Madurai, to expedite the trial and to complete the trial within a time stipulated by this Court.

For Petitioner
For Respondent

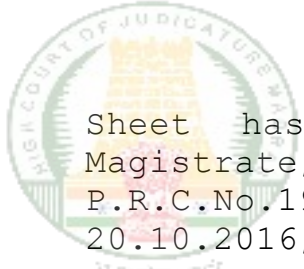
: Mr.B.Anandan
: Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

ORDER

This Criminal Original petition is filed for issuing a direction to the learned Judicial Magistrate, Melur, Madurai District, to commit the P.R.C.No.19 of 2017 to the learned Principal District and Sessions Judge, Madurai, to expedite the trial and to complete the trial within a time stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. It is stated that the petitioner who is the defacto complainant, lodged a complaint as against the proposed accused in Crime No.238 of 2016 for the alleged offences under Sections 323, 324 and 300(11) of I.P.C. Subsequently, the case was altered to include Section 307 of I.P.C. It is further stated that Charge



Sheet has already been filed before the learned Judicial Magistrate, Melur and the same has been taken cognizance in P.R.C.No.19 of 2017. Though the Charge Sheet was filed on 20.10.2016, the learned counsel for the petitioner states that the case was not committed before the appropriate Court. It is in these circumstances, the petitioner has come by way of this petition to direct the learned Judicial Magistrate, Melur, Madurai District, to commit P.R.C.No.19 of 2017 to the Principal District and Sessions Court, Madurai and to direct the learned Principal District and Sessions Judge, Madurai, to expedite the trial and to complete the same within a stipulated time.

4. Learned Additional Public Prosecutor on instructions submitted that there is no Presiding Officer, in Melur and that therefore, a direction of this Court is not workable. However, it is stated that one of the Judicial Officers from Madurai is going for Camp Court, at Melur.

5. Having regard to the nature of the grievance and the facts and circumstances of the case, this Court is inclined to issue the following direction:-

" The learned Judicial Magistrate who is deputed as in-charge of Judicial Magistrate Court, Melur, is directed to commit the case in P.R.C.No.19 of 2017 to the learned Principal District and Sessions Judge, Madurai, within a period of four weeks from the date of receipt of a copy of this order. "

6. The Criminal Original petition is allowed, accordingly.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge, Madurai.
2. The Judicial Magistrate I/C, Judicial Magistrate Court, Melur, Madurai District.
3. -do- Thro Chief Judicial Magistrate, Madurai.
4. The Inspector of Police,
Police Station,
Madurai District.



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

+1cc to Mr.B.Anandan, Advocate Sr.No.84857

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VB/KP/SAR1/10/11/2017/3P/7C

Cr1.O.P. (MD) .No.14708 of 2017
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