



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD).No.15667 of 2017

1. Bai Vasanthi Ponmalar
2. Michael
3. Selvaraj
4. Ananthi

. . . Petitioners/Accused Nos.1 to 4

Vs.

The State of Tamil Nadu,
Rep. by the Sub Inspector of Police,
Colachel Police Station,
Kanyakumari District.
(Crime No.278 of 2009)

. . . Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate, Eraniel, Kanyakumari District, to expedite the trial in S.T.C.No.2783 of 2012 within a time frame as specified by this Court.

For Petitioner
For Respondents

: Mr.R.Russel Raj
: Mr.A.Ramar,
Additional Public Prosecutor.

ORDER

This Criminal Original petition is filed for issuing a direction to the learned Judicial Magistrate, Eraniel, Kanyakumari District, to expedite the trial in S.T.C.No.2783 of 2012 within a time frame as specified by this Court.

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

3. The petitioners are accused Nos.1 to 4 and the case is pending before the learned Judicial Magistrate, Eraniel, Kanyakumari District, in S.T.C.No.2783 of 2012 for the alleged offence under Section 294(b) I.P.C. Despite the fact that the matter is pending from the year 2012, it appears that there is no service reports from the police at therefore the petitioners state that they are constrained to file this petition seeking a direction for early disposal.



4. From 'B' Diary extract, this Court is able to see that the proceedings before the lower Court was adjourned on several occasions due to non-appearance of the petitioners/accused.

5. Learned Additional Public Prosecutor on instructions submitted that the case was posted on 30.11.2017 finally for examination of P.W.6 to P.W.9.

6. Having regard to the fact that the case is pending from the year 2012 and that the petitioners themselves have undertaken to co-operate with the trial, this Court is inclined to issue the following direction:-

"The learned Judicial Magistrate, Eraniel, Kanyakumari District, is directed to expedite the trial and to dispose of the case in S.T.C.No.2783 of 2012 as expeditiously as possible within a period of three months from the date of receipt of a copy of this order."

7. The Criminal Original petition is allowed, accordingly.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Eraniel, Kanyakumari District.
2. The Sub Inspector of Police,
Colachel Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.R.Russel Raj, Advocate SR.No. 87747

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17.11.2017

pmu

JM/SKN RSK/SAR 4/05.12.2017/2P/5C