



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.15851 of 2017

Latha

... Petitioner

-Vs-

State represented by,
The Inspector of Police,
K.K.Nagar Police Station,
Trichy.
(Crime No.12 of 2008)

... Respondent

PRAYER: Criminal Original petition is filed under Section 482 of the Criminal Procedure Code, to direct the trial Court for speedy disposal of the case in C.C.No.217 of 2009 on the file of the learned Judicial Magistrate No.II, Trichy, to dispose of the case on day to day basis within stipulated time.

For Petitioner	: Mr.T.Senthil Kumar
For Respondent	: Mr.K.S.Durai Pandiyan, Additional Public Prosecutor.

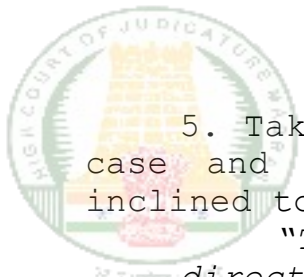
O R D E R

This Criminal Original petition is filed for issuing a direction to the learned Judicial Magistrate No.II, Trichy, to expedite the trial in C.C.No.217 of 2009 and to dispose of the same 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. The petitioner is the third accused in the criminal case in C.C.No.217 of 2009 on the file of the learned Judicial Magistrate No.II, Trichy. Though the case was registered in the year 2008 and the Charge Sheet itself was filed in the year 2009, it is stated that there was no further progress and the trial is being unnecessarily dragged on due to non co-operation of some of the accused.

4. The petitioner states that he is regularly appearing for hearing before the Court and that the defacto complainant did not appear before the concerned Magistrate for deposing evidence. It is also stated that the defacto complainant was in abroad at the time of lodging the complaint and he is also likely to go abroad as he is employed in abroad.



5. Taking into consideration the facts and circumstances of the case and the peculiar nature of the complaint, this Court is inclined to pass the following direction:-

"The learned Judicial Magistrate No.II, Trichy, is directed to expedite the trial in C.C.No.217 of 2009 and to dispose of the same on merits, after affording full opportunity to the defacto complainant and other accused, as expeditiously as possible, preferably, within a period of three months from the date of receipt of a copy of this order. If the defacto complainant and other accused are in abroad, sufficient time may be given to them, in case, their evidence is also required for disposal of the case."

6. The Criminal Original petition is allowed, accordingly.

Sd/-

Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate No.II, Trichy.

2.The Inspector of Police, K.K.Nagar Police Station, Trichy.

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

+1cc to Mr.T.SENTHIL KUMAR Advocate in SR. No. 88376

PMU

JS/JC/SAR.2/4.12.2017/2P-5C

CRL.O.P. (MD) No.15851 of 2017
21.11.2017