



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2017

WEB COPY

CORAM
THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P. (MD) No.2776 of 2017

M.Ganesan

: Petitioner

Vs.

The State rep. by
The Inspector of Police,
E.O.W. Unit -II,
Tallakulam,
Madurai.

: Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to issue suitable direction to the learned Judicial Magistrate No.V, Madurai, to dispose of C.C.No.48 of 2016, which transferred from Judicial Magistrate Court No.IV, Madurai, in C.C.No.575 of 2001, within the time stipulated by this Court.

For Petitioner : Mr.S.Balamurugan
For Respondent : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)

O R D E R

Pursuant to the order dated 14.03.2017, the learned Judicial Magistrate No.V, Madurai, has sent a report, wherein, she has stated as follows:

"I most humbly submit that the case was taken on file on 30.3.2016. the Accused persons and the defacto complainant appeared in person before this Court. The Assistant Public Prosecutor had appeared on the prosecution side and had furnished the copies of the additional documents and the same was also served to the accused persons in Cr.M.P.No.2661/2016. The accused persons had filed the counter statement in the above said Cr.M.P.No.2661/2016 and the same was posted for enquiry. In such circumstances, the Assistant Public Prosecutor of this Court was transferred and there was a vacancy of



Assistant Public Prosecutor in this Court for couple of months. Further new Assistant Public Prosecutor have been appointed on 01.03.2017 only. Therefore, I humbly submit your honor that the case shall be disposed as early as possible."

WEB COPY

2. Today, Mr.R.Velumurugan, Special Sub-Inspector of Police (EOW), Madurai, is present in Court. On instructions, the learned Government Advocate (Criminal side) submitted that a new Assistant Public Prosecutor has been appointed by the respondent police for conducting trial before the learned Judicial Magistrate No.V, Madurai. He also submitted that the prosecution have cited only eight witnesses including the Investigating Officer.

3. In view of the above, this Court directs the respondent police to take necessary steps to expedite the trial in C.C.No.575 of 2001, re-numbered as C.C.No.48 of 2016 and the learned Judicial Magistrate No.V, Madurai, is further directed to complete the trial, within a period of six months from the date of receipt of a copy of this order.

4. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate No.V,
Madurai.
 - 2.The Judicial Magistrate Court No.IV,
Madurai.
 - 3.The Inspector of Police,
E.O.W. Unit -II,
Tallakulam,
Madurai.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1cc to Mr.S.Balamurugan, Advocate Sr.No.50566

SML

VB/RR/17.04.2017/2P/6C