



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 10.04.2017  
CORAM:

THE HONOURABLE MR. JUSTICE A.M.BASHEER AHAMED

Cr1.O.P.(MD)No.4157 of 2017

Tmt.P.Shanthi

.... Petitioner/Accused

Vs.

The State represented by  
The Inspector of Police,  
District Crime Branch,  
Ramanathapuram.

..... Respondent/Complainant

**PRAYER:** The Criminal Original Petition is filed under section 482 of Criminal Procedure Code, to issue a direction to the Judicial Magistrate Court No.II, Ramanathapuram, to expedite the trial in C.C.No.122 of 2014 within a time frame that may be fixed by this court.

For Petitioner : Mr.T.Sakthikumaran

For Respondent : Mr.P.Kandasamy,  
Government Advocate (Cr1. Side)

#### O R D E R

This Criminal Original Petition has been filed praying to direct the Judicial Magistrate Court No.II, Ramanathapuram, to expedite the trial in C.C.No.122 of 2014 and dispose the same within a time frame.

2.The learend counsel appearing for the petitioner is present. Mr.P.Kandasamy, learned Government Advocate (Criminal side) takes notice for the respondent.

3.Heard both sides.

4.The learned counsel appearing for the petitioner states that according to the prosecution, the petitioner secured job as Secondary Grade Teacher by producing forged certificate and in this connection, a complaint was lodged by the Chief Educational Officer, Ramanathapuram, before the respondent police, on 12.03.2010 and thereafter, the petitioner was kept under suspension, by the order of the Chief Educational Officer, Ramanathapuram, dated 29.03.2010. It is further stated that the alleged complaint was given only on 12.03.2010 by the Chief Educational Officer, Ramanathapuram, i.e., after a period of 12 days from the date of joining the petitioner as Secondary Grade Teacher and the petitioner had denied the charges framed against her before the trial court also. In view of the above

circumstances, the petitioner has come forward with this petition seeking for a direction as stated above.

5.The learned Government Advocate (Criminal side) states that they are totally nine witnesses in this case and now, the case is pending for examination of witnesses.

6.On perusal of the charge sheet filed in C.C.No.122 of 2014, it is seen that all the witnesses are official witnesses. The 'B' diary extract maintained by the trial court reveals to the effect that summons to the witnesses were not served from 04.02.2015 onwards and now, the case is pending in the summon stage, by issuing summons to LW1 and LW2 and no reason has been assigned by the respondent for not serving the summons to the above said witnesses.

7.Considering the above facts and circumstances of the case and also considering the fact that the petitioner is out of employment for the past seven years, this court is inclined to direct the Judicial Magistrate No.II, Ramanathapuram, to expedite the trial in C.C.No.122 of 2014 and dispose of the same on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order and report the same to the Registry without fail. The respondent police is directed to cooperate with the trial court by producing the witnesses as and when ordered by the trial court.

8.With the above direction, this Criminal Original Petition is disposed of.

SD/-

ASSISTANT REGISTRAR(RTI)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To,

1.The Judicial Magistrate No.II,  
Ramanathapuram.

2.The Inspector of Police,  
District Crime Branch,  
Ramanathapuram.

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

+1 CC TO MR.T.SAKTHI KUMARAN,ADVOCATE,SR NO.51123

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MAS/JC:09.05.2017:2P-5C