



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2017
CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.5408 of 2017

Venu

... Petitioner

-VS-

The State of Tamil Nadu
rep. by the Inspector of Police
Aralvoimozhi Police Station,
Kanyakumari District

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the learned Magistrate, Boothapandi, Kanyakumari District to expedite the trial in C.C.No.114/2009 within time frame as specified by this Court.

For Petitioner : Mr.R.Russelraj
For Respondents : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)

O R D E R

The accused has filed the present petition for a direction to the learned Judicial Magistrate, Boothapandi, to expedite the trial in CC No.114/2009.

2. This Court called for a report from the District Munsif cum Judicial Magistrate, Boothapandi and a report dated 15.06.2017 has been received, wherein, it is stated as follows:

"I most humbly submit that CC No.114/2009 was taken on file on 12.08.2009 for the offences u/s 419, 420 IPC against the accused Venu, age 53, S/o.Ragavan and thereafter summon was issued to the accused for appearance. The accused appeared before the court on 6.08.2010 and copies were furnished to him on the same day. Charges were framed against the accused on 11.08.2010. Thereafter prosecution was ordered to produce the witnesses and the prosecution examined PW on 13.10.2011 but the accused side not cross examined the witness immediately. But after 10 months accused side filed Sec.311 Cr.P.C. petition for cross of PW1 and after it was allowed PW1 was cross examined on 02.08.2012. Then PW2 was examined on 3.4.2017. Now the case is pending for producing other 6 witnesses. Summons were issued through



police for producing the witnesses. But till date the witnesses have not been produced before this court. The case was last heard on 23.5.2017 and the case is now adjourned to 19.6.2017 for examining further prosecution witnesses. The prosecution side is causing delay in producing the witnesses and this court is repeatedly instructing the prosecution to produce the witnesses. This court is taking sincere steps in disposing the case at the earliest. As such I most humbly submit the above status report."

3. In view of the above, the Superintendent of Police, Kanyakumari District is directed to monitor the trial in C.C.No.114/2009 by issuing suitable directions to the Inspector of Police, Aralvoimozhi Police Station to produce the witnesses before the trial Court for expeditious disposal of the case.

4. With above direction, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To:

1. The Judicial Magistrate,
Boothapandi,
Kanyakumari District.
2. The Superintendent of Police,
Kanyakumari District, Nagercoil.
3. The Inspector of Police,
Aralvoimozhi Police Station,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. R.RUSSEL RAJ, Advocate, SR.No.62166.

Crl.O.P. (MD) No.5408 of 2017
30.06.2017