



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.9052 of 2017

Rajan @ Lawrence

... Petitioner

-Vs-

The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.

... Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the Learned Judicial Magistrate No.I, Kuzhithurai to expedite and complete the trial in C.C.No.317 of 2010 within stipulated time framed by this Court.

For Petitioner : Mr.H.Velavadhias
For Respondent : Mr.K.Anbarasan,
Government Advocate (Crl.Side)

ORDER

This Criminal Original petition has been filed to direct the Learned Judicial Magistrate No.I, Kuzhithurai to expedite and complete the trial in C.C.No.317 of 2010.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent.

3.It is not in dispute that the criminal case in C.C.No.317 of 2010 is pending for more than 7 years without any reasonable causes. The learned counsel for the petitioner submitted that he is working as a teacher and because of the pendency of the investigation of the criminal case, he has to travel during every hearing and his working place from Trail Court is nearly 80 kilometers.

4. This court earlier called for a report from the learned Judicial Magistrate No.1, Kuzhithurai. Accordingly, a report has been submitted by the learned Judicial Magistrate No.1,



Kuzhithurai, stating that though the accused appeared before this Court on 15.02.2013 and 19.02.2013 and examined, the case was posted to examine some of the witnesses and at the instance of prosecution side, the case was being adjourned.

5. It is only because, the summons were not issued to the witnesses, the delay had occurred. In view of the report of the learned Judicial Magistrate No.1, Kuzhithurai, and having regard to the nature of the complaint, this Court is inclined to pass the following directions:

"The learned Judicial Magistrate No.1, Kuzhithurai is directed to expedite and dispose of the trial in C.C.No.317 of 2010 within a period of four months from the date of receipt of a copy of this order. The respondent police is also directed to cooperate with the trial Court for early disposal".

6. Accordingly, the Criminal Original petition is disposed of.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.

2. The Judicial Magistrate No.I,
Kuzhithurai,
Kanyakumari.

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

+1 cc to Mr.H.Velavadhas , Advocate in SR.No. 69951

cmr/gsp

AE/JC/SAR3/29.08.2017/2P/5C

Cr1.O.P. (MD) No.9052 of 2017
02.08.2017