



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.9551 of 2017

Selvanesam

... Petitioner

-Vs-

State through represented by
The Inspector of Police,
Thiruvattar Police Station,
Kanyakumar District.
(Crime No.55 of 2016)

... Respondent

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to pass an order of direction directing the learned Judicial Magistrate, Padmanabhapuram, to commit the case in PRC.No.37/2016 to the Sessions Court, Nagercoil, for speedy trial to be conducted within a stipulated time that may be fixed this Court.

For Petitioner	: Mr.T.Jeen Joseph
For Respondent	: Mr.K.Anbarasan
	Government Advocate(Crl. Side)

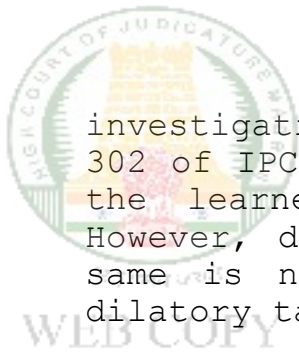
O R D E R

This Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to direct the learned Judicial Magistrate, Padmanabhapuram to commit the case in PRC.No.37 of 2016 to the Sessions Court, Nagercoil for speedy trial to be conducted within a stipulated time that may be fixed this Court.

2. Heard Mr.T.Jeen Joseph, learned counsel appearing for the petitioner and Mr.K.Anbarasan, learned Government Advocate (Crl.Side) appearing for the respondent and perused the records.

3.The petitioner is the wife of the victim and informant in Crime No.55 of 2016, which was initially filed for the offences under Section 302 of IPC., and then altered into Sections 120(b), 34 and 302 of IPC., on the file of the respondent police.

4. The learned counsel for the petitioner states that there are three accused in this case and that the accused were driving a car with an intention to murder the petitioner's husband. After



investigation, the offence was altered into Sections 120(b), 34 and 302 of IPC., and after investigation charge sheet also filed before the learned Judicial Magistrate, Padmanabhapuram on 16.06.2016. However, despite the matter being posted on several occasions, the same is not committed to the Sessions Court, Nagercoil, due to dilatory tactics adopted by the accused persons.

5. In the said circumstances, having regard to the nature of the allegations and the facts and circumstances of the case, this Court is of the view that proper direction may be issued to the learned Judicial Magistrate, Padmanabhapuram to expedite the committal proceedings. Hence, this Court directs the learned Judicial Magistrate, Padmanabhapuram, to commit the case in PRC.No.37 of 2016 to the Sessions Court, Nagercoil for speedy trial within a period of two weeks from the date of receipt of the copy of this order.

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

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate Court,
Padmanabhapuram
2. The Inspector of Police,
Thiruvattar Police Station,
Kanyakumar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.T.JEEN JOSEPH, ADVOCATE IN SR No. 67480

DAS/PJL
TE/SV/SAR-I : 31/07/2017 : 2P/5C

CRL.O.P. (MD) No.9551 of 2017
25.07.2017