



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.9555 of 2017

Rekka

...Petitioner/Accused No.2

-Vs-

State represented by
The Sub-Inspector of Police,
All Women Police Station,
Bodinayakanur,
Theni District.
(Crime No.14 of 2011)

...Respondent/Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to direct the learned District Munsif Cum Judicial Magistrate, Bodinayakanur, Theni District, to dispose of the case in C.C.No.240 of 2011, pending on his file within the time stipulation as prescribed by this court.

For Petitioner : Mr.M.Pitchai Muthu

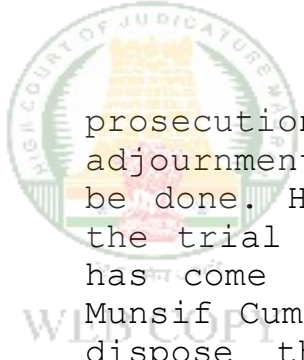
For Respondent : Mr.K.Anbarasan
Government Advocate(Crl. Side)

O R D E R

This Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to direct the learned District Munsif Cum Judicial Magistrate, Bodinayakanur, Theni District, to dispose of the case in C.C.No.240 of 2011, pending on his file within a time frame.

2. Heard Mr.M.Pitchai Muthu, 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 learned counsel for the petitioner submitted that though the case was registered for the offences punishable under Sections 498(A), 494 and 506(i) of IPC., read with Section 4 of TNPHW Act, in Crime No.14 of 2011, on the file of the respondent police and after filing the charge sheet, the same was taken on file as C.C.No.240 of 2011, on the file of the learned District Munsif Cum Judicial Magistrate, Bodinayakanur, Theni District, the trial of the case is unnecessarily dragged on due to long adjournments. It is further submitted that all the nine persons, who were listed as



prosecution witnesses were examined in chief. However, due to long adjournments, the cross-examination, except PW1 and PW4 are yet to be done. Having regard to the fact that the petitioner is facing the trial and attending on all the hearing dates, the petitioner has come forward with a prayer to direct the learned District Munsif Cum Judicial Magistrate, Bodinayakanur, Theni District, to dispose the case in C.C.No.240 of 2011 as expeditiously as possible.

4. This Court, after perusal of the petition and the connected records, is of the view that the case has been unnecessarily dragged for more than six years. In view of the fact that all the witnesses are examined-in-chief and the matter is posted only for cross-examination for a quite longtime and hence, this Court directs the learned District Munsif Cum Judicial Magistrate, Bodinayakanur, Theni District, to dispose of C.C.No.240 of 2011 within a period of three months from the date of receipt of the copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar.

To

1.The District Munsif Cum Judicial Magistrate,
Bodinayakanur, Theni

2.The Sub-Inspector of Police,
All Women Police Station,
Bodinayakanur,
Theni District.

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

+1CC to Mr.M.Pitchaimuthu, Advocate, SR.No.67913

CRL.O.P. (MD) No.9555 of 2017

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