

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CrI.O.P.No.17175 of 2018

R.Sathish Kumar

... Petitioner

Vs

1. The Superintendent of Police,
Kancheepuram District,
Kancheepuram.

2. The Inspector of Police,
Sathurangapattinam Police Station,
Kancheepuram District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to direct the District Munsif cum Judicial Magistrate, Thirukalukundram to expedite the trial in C.C.No.27 of 2014 on the file of the District Munsif cum Judicial Magistrate, Thirukalukundram.

For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mrs.M.Prabhavathi,
Addl. Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the learned District Munsif cum Judicial Magistrate, Thirukalukundram to expedite the trial in C.C.No.27 of 2014 on the file of the District Munsif cum Judicial Magistrate Court, Thirukalukundram.

2. Pursuant to the order dated 05.07.2018, the learned District Munsif cum Judicial Magistrate, Thirukalukundram, has sent a report dated 26.07.2018 wherein it is stated as follows :

" I most humbly submit that then after the case was posted for issuance of Accused summons and on 04.03.2017 both Accused persons had appeared before this Court and copies were furnished to them u/s. 207 Cr.P.C. on the same day and posted to 13.03.2017 for framing of charges. I submit that on 13.03.2017, the charges were framed against the Accused persons as u/s.294(b), 323 and 326 of I.P.C. I most humbly submit that then the case was periodically adjourned for

production of list of witnesses 1 to 5, till now the witness summons were not effected by the prosecution side to cause produce their witnesses. I submit that as of now the case had listed on 19.07.2018 and posted to 20.08.2018 for issuance of list of witnesses 1 to 4. I further most humbly submit that I am taking very effective steps for the speedy disposal of case. I am most humbly submitting my report for Your Lordship's kind consideration."

3. From a reading of the report, it is seen that, the 2nd respondent police are not producing the witnesses, for the reasons best known to them.

4. Taking into consideration, the nature of allegations in the charge sheet, this Court directs the trial Court to complete the trial in C.C.No.27 of 2014 within six months from the date of receipt of a copy of this order, provided, there is no legal impediment.

5. The 2nd respondent police is directed to produce the witnesses before the trial Court for giving evidence. The Superintendent of Police, Kancheepuram District, is directed to monitor the course of trial in C.C.No.27 of 2014 and issue necessary directions to the 2nd respondent police to produce the witnesses before the trial Court.

This petition is closed with the above directions.

Sd/-
Deputy Registrar (CS)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1. The District Munsif cum Judicial Magistrate,
Thirukalukundram.
2. The Superintendent of Police,
Kancheepuram District,
Kancheepuram.
3. The Inspector of Police,
Sathurangapattinam Police Station,
Kancheepuram District.
4. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.17175 of 2018

(CS-DR)

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EU (07/09/2018)