



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.2026 of 2018

Manoj @ Manojkumar

... Petitioner/ Accused No.3

-Vs-

The Inspector of Police,
Palanichettipatti Police Station,
Theni District.

(In Cr.No.936 of 2015) ... Respondent/ Respondent/ Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the learned Principal District and Sessions, Judge, Theni to dispose of the case in S.C.No.28 of 2017 registered in Cr.No.936 of 2015 for alleged offences under Section 120(b) and Section 3 (i) of TNPPDL Act as expeditiously as possible and within the time stipulated by this Court.

For Petitioner : Mr.J.Lawrance

For Respondent : Mr.Prabu Ramachandran
Government Advocate(Crl.side)

O R D E R

This petition has been filed to direct the learned Principal District and Sessions Judge, Theni, to dispose of the case in S.C.No.28 of 2017 at early.

2.The learned counsel for the petitioner has submitted that the respondent has registered the case in the year 2015 in Cr.No.936 of 2015 under Section 120 (b) IPC and Section 3(1) TNPPDL Act and in the First Information Report his name has not been mentioned. However, the respondent has filed a charge sheet implicating the petitioner also as accused. Based on that, the case has been taken on file by the Judicial Magistrate, Theni, in PRC.No.5 of 2016 and subsequently, committed the case to the Court of Sessions and the same has been taken on file in S.C.No.38 of 2017, by the Principal District and Sessions Judge and the said case is still pending for trial. He further submitted that the petitioner is a law graduate and because of this case, he is not



able to enroll and hence, a direction may be given to the Principal District and Sessions Judge, Theni to dispose of the said case at early.

3.The learned Government Advocate (Crl.side) has submitted that NBW is pending against the first accused and hence, the case cannot be taken for trial.

4.The Diary extract produced by the petitioner shows that on 29.11.2017, A1 surrendered and NBW was recalled and thereafter, the case has been posted for trial. So it appears that the case is ready for trial.

5.Considering the submissions made on either side, the Principal District and Sessions Judge, Theni, is directed to expedite the trial in the aforesaid case and dispose of the same within a period of four months from the date of receipt of a copy of this order.

6.With the aforesaid observation, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge,
Theni.
2. The Inspector of Police,
Palanichettipatti Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 cc TO Mr.J.Lawrance , Advocate in SR No. 47988

rmk

AE/JC/SAR2/12.03.2018/2P/5C