



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2169 of 2018

S.Karunanithi

... Petitioner

-Vs-

1. The State rep. By
The Sub-Inspector of Police,
B6, Jaihindpuram (L & O) Police Station,
Madurai.

2. Karuppusamy
3. Kaveri Thevar
4. Murugan
5. Balasubramanian
6. Lingam
7. Rakkappan
8. Vellaichamy
9. Mayakannan

... Respondents

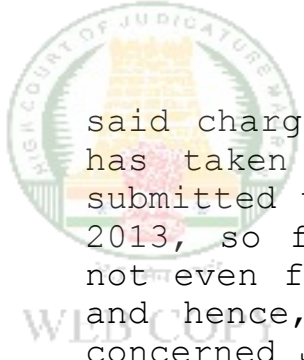
PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate No.IV, Madurai, to expedite the trial and for speedy disposal of the criminal Case in C.C.No.144 of 2013, on his file.

For Petitioner : Mr.P.Mahendran
For R1 : Mr.Prabu Ramachandran,
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed by the petitioner, to direct the learned Judicial Magistrate No.IV, Madurai, to dispose of the Case in C.C.No.144 of 2013, at early.

2.The learned counsel appearing for the petitioner has submitted that the accused persons have trespassed into the petitioner's property and criminally intimidated him and also caused damage to the property worth about Rs.20,000/- in the year 2011 and hence, the petitioner has lodged a complaint before the first respondent. Based on the said complaint, the first respondent has registered a case in Crime No.796 of 2011, and after investigation, charge sheet has been filed and based on the



said charge sheet, the learned Judicial Magistrate No.IV, Madurai has taken the case on file in C.C.N.144 of 2013. He further submitted that even though, the case was taken on file in the year 2013, so far, the learned Judicial Magistrate No.IV, Madurai has not even framed the charge and simply the case is being adjourned and hence, he requests this Court to give a direction to the concerned Judicial Magistrate to dispose of the case, at early.

3.The learned Government Advocate (Crl. Side) has submitted that in the aforesaid case totally eight accused are involved and since, some of the accused not appeared, Non-Bailable-Warrants have been issued and only recently the Non-Bailable-Warrants have been recalled and now all the accused are appearing before the Magistrate Court, and hence, some reasonable time may be fixed for disposing of the said case.

4.A perusal of the Diary Extract of the case in C.C.No.144 of 2013, on the file of the Judicial Magistrate No.IV, Madurai, shows that the Judicial Magistrate has routinely adjourned the case without making any progress. Hence, the Judicial Magistrate No.IV, Madurai, is directed to instruct that all the accused should appear in the next hearing, and thereafter, furnish the copies and proceed further. If the accused not appeared, then, he has to cancel the Bail and issue Non Bailable Warrant and direct the police to secure the accused and make progress in the case. Further, he is directed to dispose of the case within a period of six months from the date of receipt of copy of this order.

4.With the aforesaid observations, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Sub-Inspector of Police,
B6, Jaihindpuram (L & O) Police Station,
Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.P.MAHENDRAN, ADVOCATE IN SR No. 49253

IA

<https://hccs.certh.org/Service/22/03/2018> : 2P/4C

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