



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2544 of 2018

Saravanakumar

... Petitioner

-vs-

State represented by
The Sub-Inspector of Police,
Vilakkuthoon Police Station, Madurai,
Madurai District.
(Crime No.606/2014)

... Respondent

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to issue suitable direction to the trial court for speedy disposal of the above case in C.C.No.29 of 2017 on the file of the learned Judicial Magistrate No.I, Madurai to dispose the case day to day basis.

For Petitioner : Mr.T.Senthil Kumar
For Respondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the defacto complainant, to direct the learned Judicial Magistrate No.I, Madurai, to dispose of the case in C.C.No.29 of 2017, at early.

2.Heard Mr.T.Senthil Kumar, learned counsel appearing for the petitioner and Mr.A.P.G.Ohm Chairma Prabhu learned Government Advocate (Crl.Side) appearing for the respondent.

3.The learned counsel appearing for the petitioner has submitted that based on the complaint given by the petitioner, the respondent herein has registered a case in Crime No.606 of 2014 for the offence punishable under Sections 294(b), 353 and 506(i) of IPC and after investigation, charge sheet has been filed and the case was taken on file in C.C.No.29 of 2017 and the same is pending before the learned Judicial Magistrate No.I, Madurai. He further submitted that the (opposite party) accused in C.C.No.29 of 2017, has lodged a counter complaint and based on that a case has been registered in Crime No.605 of 2014 for the offence punishable under Sections 294(b), 506(i) of IPC and the case was taken on file in C.C.No.98 of 2016 and in that case, prosecution witnesses were



examined and the case is posted for judgment on 16.04.2018. Hence, he requests to direct the concerned learned Judicial Magistrate, to expedite the trial in C.C.No.29 of 2017 and dispose of the same along with the counter case.

4.The learned Government Advocate (Crl.Side) appearing for the respondents has fairly conceded that the case in C.C.No.29 of 2017 and C.C.No.98 of 2016 are cases in counter.

5.Admittedly, the case in C.C.No.29 of 2017 and the case in C.C.No.98 of 2016 are cases in counter. As such both the cases should be disposed of simultaneously and then only the trial court will have an opportunity to see who is the aggressor. Therefore, the learned Judicial Magistrate No.I, Madurai is directed to dispose of both the cases simultaneously, within a period of three months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(Crl.Side)

/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.I,
Madurai.

2.The Sub-Inspector of Police,
Vilakkuthoon Police Station, Madurai,
Madurai District.

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

+1CC TO M/S.T.SENTHILKUMAR, ADVOCATE, SR NO.53990

CRL.O.P.(MD)No.2544 of 2018

08.03.2018

das

MS/SKN-RSK/SAR-2/23.03.2018/2P.5C