



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.3691 of 2018

P.Rajagopal ... Petitioner/Defacto Complainant

-Vs-

The Inspector of Police,
Teppakulam Police Station,
Madurai. ... Respondent/Complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate, No.I, Madurai to complete the trial in Cr.M.P.No.1087 of 2017 within a period stipulated by this Court.

For Petitioner : Mr.V.Mohamed Sherbudeen

For Respondent : Mr.Prabhu Ramachandran
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed to direct the learned Judicial Magistrate, No.I, Madurai to complete the enquiry in Cr.M.P.No.1087 of 2017 at early.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side).

3.The learned counsel for the petitioner has submitted that based on the complaint given by the petitioner, the respondent herein has registered a case in Cr.No.10 of 2015 under Sections 147, 148, 323, 324 and 506(ii) I.P.C, but subsequently, the respondent has referred the matter as mistake of fact and a report was also filed before the Judicial Magistrate, No.I, Madurai. He further submitted that the petitioner has filed a protest petition in the month of December 2015. But the said petition was numbered and taken on file only in the year 2017 as Cr.M.P.No.1087 of 2017 and thereafter, no progress has been made. Hence, he requests to direct the concerned Magistrate to expedite the enquiry in the said petition and pass order at early.



4.The learned Government Advocate (Crl.Side) has submitted that no Presiding Officer has been posted in the Court of the Judicial Magistrate No.I, Madurai. It is only the Judicial Magistrate No.II, Madurai is holding additional charge and hence, he is not having time to take up all the matters, which are pending before the Judicial Magistrate No.I, Madurai.,

5.Considering the aforesaid submissions, the Judicial Magistrate No.I, Madurai is directed to expedite the enquiry in Cr.M.P.No.1087 of 2017 and dispose of the same on merits and in accordance with law within 3 months from the date of receipt of copy of this order.

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

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.I,
Madurai.
2. The Inspector of Police,
Teppakulam Police Station,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Vs
AE/KKR/SAR3/18.04.2018/2P/4C

CRL.O.P. (MD) No.3691 of 2018
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