



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2018

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

CRL.O.P.(MD)No.4118 of 2018

Suyambulingam

... Petitioner/De-facto Complainant

-vs-

State Represented by
The Inspector of Police
Kottar Police Station,
Nagercoil,
Kanyakumari District.

... Respondent /Complainant

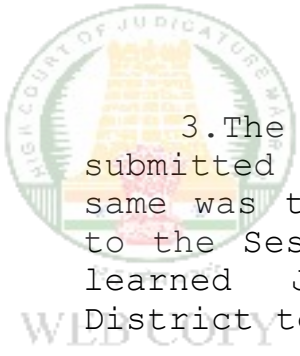
Prayer: Criminal Original petitions are filed under Section 482 of Criminal Procedure Code, to pass an order of direction directing the Learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District to commit the case in P.R.C.No.13 of 2016 to the Sessions Court, Nagercoil, Kanyakumari District for speedy trial within stipulated time that may be fixed by this Hon'ble Court.

For Petitioner : Mr.L.George Paul Anto
For Respondent : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed by the petitioner, seeking a direction to the Learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District to commit the case in P.R.C.No.13 of 2016 to the Sessions Court, Nagercoil, Kanyakumari District for speedy trial within a stipulated time that may be fixed by this Hon'ble Court.

2. The learned counsel for the petitioner would submit that the petitioner's son was brutally murdered and the petitioner was grievously assaulted with deadly weapons by the accused person. He would submit that the petitioner is the prime eye witness regarding the said crime and he deposed about the previous motive and occurrence of the case. He would submit that totally there are 14 accused in the said case and their presence before the concerned court is irregular and they are dragging the proceedings. According to the learned counsel for the petitioner, [https://hcse/](https://hcservices.echips.gov.in/hcse/) is not committed before the Sessions Court, Kanyakumari District, the petitioner will be put into irreparable loss and hardships.



3.The learned counsel appearing for the petitioner has further submitted that the charge sheet was filed on 30.03.2016 and the same was taken on file. But, till date the case is not committed to the Sessions Court and therefore, he seeks a direction to the learned Judicial Magistrate, No.II, Nagercoil, Kanyakumari District to commit the case to the Sessions Court.

4.The learned Government Advocate (Crl.Side) has submitted that the committal proceedings would be completed within a period of six months.

5.Considering the aforesaid submissions, the Judicial Magistrate, No.II, Nagercoil, Kanyakumari District, is directed to complete the committal proceedings and commit the case to the Sessions Court within a period of six months from the date of receipt of copy of this order.

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

sd/
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To,

The Inspector of Police,
Kottar Police Station, Kottar,
Nagercoil,
Kanyakumari District.

+1CC TO M/S.L.George Paul Anto, Advocate, SR.NO. 57854

CRL.O.P. (MD) No.4118 of 2018
23.03.2018

cm
JM/SV MMS/SAR 3/23.05.2018/2P/3C