



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P (MD) No.17105 of 2017

Mariyammal : Petitioner

Vs.

1.Balasubramanian

2.Asaithambi

3.Vijaya

4.Amutha

5.The Sub Inspector of Police,
All Women Police Station,
Srivaikundam,
Tuticorin District.

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C., to issue a Suitable direction to the learned Judicial Magistrate Court, Srivaikundam to try together the proceedings of the D.V.No.6 of 2016 on the file of the learned Judicial Magistrate, Srivaikundam along with the C.C.No.360 of 2016 on the file of the learned Judicial Magistrate, Srivaikundam and to dispose the above cases within the time limit that may be stipulated by this Honorable High Court.

For Petitioner : Mr.B.perumal Prabhu

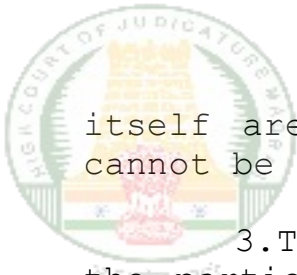
For Respondents 1 to 4: No appearance

For Respondent No.5 : Mr.K.Suyambulinga Bharathi
Government Advocate (crl side)

O R D E R

This petition has been filed for a direction to the learned Judicial Magistrate to try together DV No.6 of 2016 and CC No.360 of 2016 and to dispose of the same within a time limit.

2.The prayer sought for by the petitioner in this petition, cannot be entertained by this Court. The nature of the proceedings



itself are completely different and therefore, both these cases cannot be tried together.

3.The learned Counsel for the petitioner would submit that the parties are one and the same and therefore, the Court below can have the cases on a same day, so that it will be more convenient for both the Court as well as for the parties.

4.In the facts and circumstances of the case, the learned Judicial Magistrate, Srivaikundam shall hear the DV No.6 of 2016 and CC No.360 of 2016 separately. Taking into consideration the convenience of the parties, both the cases can be listed on the same day. There shall be a further direction to the learned Judicial Magistrate, Srivaikundam, to complete the proceedings in both the cases within a period of three months from the date of receipt of copy of this order and report compliance of this order, to the Registry, immediately after completion of the proceedings.

5.The criminal original petition is disposed of with the above directions.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar(CS-III)

To

1.The Judicial Magistrate,
Srivaikundam.

2.The Sub Inspector of Police,
All Women Police Station,
Srivaikundam,
Tuticorin District.

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

+ 1 CC TO MR.M.S.JEYAKARTHIK, ADVOCATE IN SR NO.870101
DSK
BU/PM/SAR-III :31.10.2018 : 2P/5C

Order made in
Cr1.O.P(MD)No.17105 of 2017
26.09.2018