



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.11.2018

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

CrI.O.P. [MD].No.20079 of 2018

WEB COPY

Nachiappan

: Petitioner

Vs.

1.E.Suresh
2.Kannathal
3.C.Pandithurai
4.Meena
5.J.Abdul Munab

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned District and Session Court (Mahila Court), Madurai to dispose of the S.C.No.364 of 2016 on its file within the time limit fixed by this Court.

For Petitioner : Mr.AL.Kannan

ORDER

This Criminal Original Petition has been filed, seeking for a direction to the learned District and Session Court (Mahila Court), Madurai to dispose of S.C.No.364 of 2016, within a time frame as fixed by this Court.

2.The learned counsel for the petitioner would submit that the petitioner is retired employee of ICICI Bank. On a complaint given by him against the accused. Since the respondent police did not take any action, the petitioner had filed a private complaint in P.R.C.No.64 of 2014, on the file of the learned Judicial Magistrate No.II, Madurai. After due enquiry, the learned Magistrate took up the case against the accused for the offences punishable under Sections 497, 498, 368, 365, 364(A), 363, 384 r/w 511, 201 r/w 109 and 34 I.P.C and Section 3 and 4 of POCSO Act. After taking cognizance, the learned Magistrate found that the offences are triable by the learned Sessions Judge. Therefore, the learned Judicial Magistrate No.II, Madurai, transferred the same to the file of the learned District and Sessions Court (Mahila Court), Madurai, under Section 209 of Cr.P.C. Thereafter, the learned Sessions Judge taken the case on file vide S.C.No.364 of 2016. He would further submit that the petitioner is aged about 63 years and undergoing treatment and as a complainant, he got a right to speedy disposal of the trial. The right to speedy trial is a fundamental right guaranteed under Article 21 of Constitution of India.

<https://hcservices.ecourts.gov.in/hcservices/>
3.This Court earlier called for report from the learned District and Sessions Court (Mahila Court) Madurai, for knowing the stage of S.C.No.364 of 2016. On perusal of the report, it reveals



that the above sessions case is posted on 20.11.2018 for framing charges.

4.The learned counsel for the petitioner would submit that there are four witnesses in this case.

5.Taking into consideration of the submissions made by the learned counsel on both sides, the trial Court is directed to complete the trial and pass order as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

6.With the above observations, this Criminal Original Petition stands closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The District and Session Court (Mahila Court),
Madurai.
2. The Section Officer, Criminal Section, (2 Copies)
Madurai Bench of Madras Hight Court,
Madurai.

DAS

KM/BK/SAR1/17.12.2018/2P/4C

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