



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.[MD].No.20540 of 2018

J.Saravanan : Petitioner

Vs.

State represented by
The Inspector of Police,
Thisayanvillai Police Station,
Tirunelveli District.
(Crime No.392 of 2011)

: Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the District Munsif Cum Judicial Magistrate Court at Nanguneri to expedite the trial in C.C.No.54 of 2016 and complete the trial with in a stipulated time.

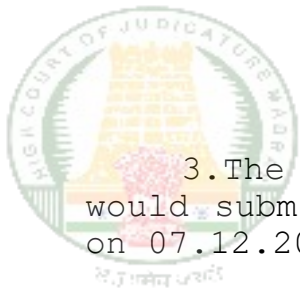
For Petitioner : Mr.M.M.Manivelpandian

For Respondent : Mr.R.Anandharaj,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned District Munsif Cum Judicial Magistrate Court at Nanguneri to expedite the trial in C.C.No.54 of 2016 and complete the trial with in a stipulated time as fixed by this Court.

2.The learned counsel for the petitioner would submit that the petitioner is the defacto complainant. On a complaint given by him a case was registered by the respondent police in Crime No.392 of 2011 for the offences punishable under Sections 147, 148, 341, 323, 324, 506(ii), r/w 34 I.P.C. He would further submit that the respondent did not file the final report and thereby, the petitioner approached this Court by filing Cr1.O.P(MD)No.19047 of 2015, seeking for a direction to the respondent police to file a final report and on a direction of this Court, the respondent police had filed a final report and it was taken on file in C.C.No.54 of 2016 by the learned District Munsif Cum Judicial Magistrate, Nanguneri. For the past two years, the court below has not issued summons to the accused and the case is formally posted for hearing. He would further submit that due to the delay, the accused are enjoying without any punishment and they are successfully protracting the trial without any progress and defeating the ends of justice.



3.The learned Additional Public Prosecutor for the respondent would submit that summons were issued and the case has been posted on 07.12.2018, for appearance of the accused.

4.Taking into consideration submissions made by the learned counsel on both side, the learned District Munsif Cum Judicial Magistrate Court at Nanguneri, is directed to expedite the trial in C.C.No.54 of 2016 and conclude the trial as expeditiously as possible preferably with in a period of six months from the date of receipt of a copy of this order.

5. With the above observations, this Criminal Original Petition is disposed of.

Sd/
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar(CS-III)

To

- 1.The District Munsif Cum Judicial Magistrate Court,
Nanguneri.
- 2.The Inspector of Police,
Thisayanvillai Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.M.Manivelpandian, Advocate, Sr.No.96428.

Cr1.O.P.[MD].No.20540 of 2018
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das

RAM-KK/RSK/SAR 3/21.12.2018/2P/5C