



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.15388 of 2018

A.Sudalaikannu

... Petitioner

Vs.

The State Rep. by
The Inspector of Police
Manoor Police Station
Tirunelveli District
(Crime No. 101 of 2014)

...Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Judicial Magistrate No.V, Tirunelveli to expedite and complete the trial in C.C. No.197 of 2014 within the time limit that may be stipulated by this Honourable Court.

For Petitioner: Mr.V.Natarajan

For Respondent: Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to expedite the trial in C.C.No. 197 of 2014 pending on the file of the learned Judicial Magistrate No.V, Tirunelveli.

2. When this matter came up during last occasion, this Court passed the following order:

" The learned Judicial Magistrate No.V, Tirunelveli is directed to submit a report with regard to the case pending in C.C.No.197 of 2014.

2. It is seen from records that the case was listed 20.06.2017 and thereafter the bundle is found missing and matter is not called in the Court.

<https://hcservices.ecourts.gov.in/hcservices/> The learned Additional Public Prosecutor would submit that four witnesses have already been



examined in this case.

4. The petitioner has filed a petition before this Court for early disposal of C.C.No.197 of 2014.

5. The report must state what steps have been taken to trace the bundle and if the bundle is already traced, when is the case posted for next hearing. The report must reach the Court on or before 17.09.2018"

3. The learned Judicial Magistrate No.V, Tirunelveli has submitted a report before the Court stating that the entire case bundle in C.C. No. 197 of 2014 is missing and departmental action has been initiated against one R.Marimuthu, who is the Assistant in the Court. The learned Magistrate further submitted that steps are being taken for reconstruction of the records.

4. The learned Government Advocate (Crl.Side) on instructions from police would submit that the police is having all the relevant papers and the same will be submitted before the court duly inorder to enable for reconstruction of the records.

5. The respondent police is directed to hand over the relevant papers to the learned Judicial Magistrate No.V, Tirunelveli within a period of one week from the date of receipt of copy of this order. The learned Magistrate on receipt of papers shall start process of reconstruction of records immediately. It is seen that seven witnesses have been named in the final report and out of which 4 witnesses were already examined.

6. In the facts and circumstances of the case, there shall a direction to the learned Judicial Magistrate No.V, Tirunelveli to dispose of the C.C. No.197 of 2014 within a period of six months from date of reconstruction of records and report complaine before this Court after completion of the proceedings.

7. The Criminal Original petition is disposed of with the above directions.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS-III)



To

1. The Judicial Magistrate No.V,
Tirunelveli

2. The Inspector of Police
Manoor Police Station
Tirunelveli District

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

+ 1 CC TO MR.V.NATARAJAN, ADVOCATE IN SR NO.85806

AAV

BU/RP/SAR-III :10.10.2018 : 3P/5C

Cr1.O.P. (MD) No.15388 of 2018
18.09.2018