



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2018

CORAM

**THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH**

CRL.O.P.(MD)No.16303 of 2018

A.Maduraiveeran

... Petitioner

**Vs**

State represented through  
The Inspector of Police,  
Appanthiruppathi Police Station,  
Madurai.

In Cr.No.810 of 2014

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the learned Judicial Magistrate No.V, Madurai to dispose the petition in Cr.M.P.No.613 of 2018 in Crime No.810 of 2014 pending on the file of the learned Judicial Magistrate No.V, Madurai within a time period that may be fixed by this Court.

For Petitioner: Mr.C.M.Arumugam

For Respondent: Mrs.S.Bharathi  
Government Advocate (Crl.side)

### **ORDER**

This petition has been filed for a direction to the learned Judicial Magistrate No.V, Madurai to dispose the petition in Cr.M.P.No.613 of 2018 in Crime No.810 of 2014 pending on the file of the learned Judicial Magistrate No.V, Madurai.

2.This Court passed an order on 12.09.2018 which is as follows:-

"The learned Judicial Magistrate No.V, Madurai, is directed to file a report with regard to the petition pending in Crl.M.P.No.613 of 2018 in Cr.No.810 of 2014. The report should reveal whether the case is pending before the concerned Magistrate or it has already been transferred to the learned Judicial Magistrate No.II, Madurai. The report should reach this Court on or before 19.09.2018. Post this case on 20.09.2018."



3.The report has now been received from the learned Judicial Magistrate No.V, Madurai to the effect that the case has been made over to the learned Judicial Magistrate No.II, Madurai and formally the order is awaited from the Chief Judicial Magistrate, Madurai. Only after the formal order is passed, the learned Judicial Magistrate No.II, Madurai can take up the case.

4.There shall be a direction to the Chief Judicial Magistrate, Madurai to immediately pass an order to make over the case from the learned Judicial Magistrate No.V, Madurai to the file of the learned Judicial Magistrate No.II, Madurai. This process shall be completed within a period of one week from the date of receipt of a copy of this order and the same shall be reported before this Court. Immediately, after the case is made over to the learned Judicial Magistrate No.II, Madurai, the said Magistrate shall take up the protest petition that has been filed by the petitioner and proceed as expeditiously as possible in accordance with law.

5.With the above directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS-III)

To

1.The Chief Judicial Magistrate, Madurai.

2.The Judicial Magistrate No.V, Madurai.

3.The Judicial Magistrate No.II, Madurai.

4.The Inspector of Police, Appanthiruppathi Police Station, Madurai.

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

+ 1 CC TO MR.C.M.ARUMUGAM, ADVOCATE IN SR NO.85824

RMI

BU/RSK/SAR-III :27.10.2018 : 2P/7C