

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.10215 of 2019

Painthamizhkumaran

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Cuddalore Port Police Station,
Cuddalore.
(Crime No.36 of 2018)

... Respondent

PRAYER:

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the learned Fast Track court Judge, Cuddalore to dispose the trial in S.C.No.31 of 2019 pending on the file of the I Additional District Court, Cuddalore.within the time stipulated by this Court.

For Petitioner : Mr.A.Muthukumar

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the trial Court to dispose the trial in S.C.No.31 of 2019 on the file of I Additional District Court, Cuddalore and complete the proceedings within a stipulated time.

2.The case of the prosecution is that there was a dispute between the Sonankuppam's Fishermen and the Devananmpattinam's Fishermen due to fishnet issue on the ocean. While so, on 15.05.2018, Devananmpattinam's fishermen entered into the Sonankuppam village with deadly weapons and severely attacked the defacto complainant's father and other persons. In the result many persons got serious injurious and the defacto complainant's father was taken to hospital and he was died on the same day. Hence, a complaint has been made before the respondent police for the offence under Section 147, 148, 294 (b), 323, 324, 307 and 302 of I.P.C. in Crime No.36 of 2018.

After investigation charge sheet has been laid in S.C.No.31 of 2019. Thereafter, the case was committed and transferred to the learned Fast Track Court Judge, Cuddalore for trial and the same is pending in S.C.No.31 of 2019.

3.The learned counsel for the petitioner submitted that the charge sheet has been laid before the learned I Additional District Judge, Cuddalore in S.C.No.31 of 2019 and the case was committed to the learned Fast Track Court Judge, Cuddalore. But, till date the case was not posted for trial. Hence, the petitioner filed the present petition with the aforesaid prayer.

4.Heard both sides.

5.Considering the fact that the incident happened in the year 2018 and the charge sheet has been filed and the case was committed to the learned I Additional District Judge, Cuddalore, the trial has not been commenced till date, there shall be a direction to the learned Fast Track court Judge, Cuddalore to conduct the trial in S.C.No.31 of 2019, pending on his file and to complete the proceedings within a period of six months from the date of receipt of copy of this order.

6.With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Deputy Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Cuddalore Port Police Station,
Cuddalore.

2. The Additional District Judge,
Fast Track Court, Cuddalore.

3. The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Muthukumar, Advocate, S.R.No.38100

CrI.O.P.No.10215 of 2019

CP(CO)
CS/14/06/2019