



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Eighteenth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.450 of 2019

M. GOPAL

... PETITIONER / ACCUSED No. 5

Vs

STATE REP. BY ITS,
THE INSPECTOR OF POLICE,
ARAVAKURICHI POLICE STATION,
KARUR DISTRICT.
CRIME NO.398 of 2011

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.MATHIYALAGAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

It appears that while granting the bail to the accused person, this Court issued a direction to the Registry to call for the reports from the learned Judicial Magistrate No.II, Karur, as to why the charge sheet, which was filed on 25.03.2013 in Crime No.398 of 2011, has been kept pending for such long time and returned with six queries only on 12.02.2018 and who are the responsible persons to take the charge sheet on file or otherwise what is the stipulated time for this inordinate delay to be mentioned.

2.For which, the learned Judicial Magistrate No.II, Karur, (FAC), had submitted her report stating that initially the charge sheet had been filed in the year 2013 and the same was returned immediately to rectify some queries. The same was represented only on 30.01.2018, thereafter it was again returned to carryout some rectifications on 12.02.2018. Thereafter, it was not represented till date.

3.In view of the above report, it appears that the charge sheet was returned initially in the year 2013, but the same was represented on 30.01.2018 with enormous delay and there is no delay on the part of the learned Judicial Magistrate. Hence, this



petition is closed. However, the respondent police is directed to comply with the rectifications pointed out by the Magistrate and represent the charge sheet within a period of two weeks from the date of receipt of a copy of this order.

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sd/-
18/02/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIALMAGISTRATE NO.II
KARUR
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT
- 3 THE INSPECTOR OF POLICE,
ARAVAKURICHI POLICE STATION, KARUR DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER
IN
CRL OP(MD) No.450 of 2019
Date :18/02/2019

MSI/PN/SAR-III/20.02.2019-2P/5C