



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2019

CORAM:

THE HONOURABLE **MR. JUSTICE N. SESHASAYEE**

Crl.O.P.[MD]No.6079 of 2019

Katharammal

: Petitioner/Defacto Complainant
/Vs./

The Inspector of Police,
Theppakulam Police Station,
Madurai in Crime No.1071 of 2017

: Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate Court No-1, Madurai, to commit the case in P.R.C.No.2 of 2018 to the District and Sessions Court, Madurai, within the time limit stipulated by this Court.

For Petitioner : Mr.T.Selvam

For Respondent : Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

This petition is filed to direct the learned Judicial Magistrate Court No-1, Madurai, to commit the case in P.R.C.No.2 of 2018 to the District and Sessions Court, Madurai.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

3. The learned counsel appearing for the petitioner submits that notwithstanding the fact that all the accused persons in P.R.C.No.2 of 2018 pending on the file of the learned Judicial Magistrate No.I, Madurai, have appeared, the case has not been committed to Sessions for the past 1 ½ years. He added that the first accused is an Advocate.

4. If the statement made by the learned counsel appearing for the petitioner is to be trusted, then it gives serious concern to this Court as to why the Magistrate should retain the case for such a long period. Therefore, the concerned Magistrate shall attend to the matter forthwith and commit the case to Sessions. If however any of the accused are absconding, the Magistrate is directed to split up the case in the manner procedure has provided and commit the case as regards those accused, who submit to judicial process. Accordingly, this Criminal Original Petition is



disposed of.

5. The learned Chief Judicial Magistrate, Madurai, is directed to look into the matter and shall ensure that the committal proceedings are not unduly delayed in his unit. The learned Judicial Magistrate Court No-1, Madurai, is directed to report compliance of the above said direction before this Court.

6. Post the matter on the on 03.06.2019.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

To

- 1.The Chief Judicial Magistrate, Madurai.
- 2.The Judicial Magistrate Court No-1, Madurai.
- 3.The District and Sessions Judge,
Madurai.
- 4.The Inspector of Police,
Theppakulam Police Station,
Madurai
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.-2 copies
(For Reporting compliance)
Post the matter on 03.06.2019

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Cr1.O.P.[MD]No.6079 of 2019
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