



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P.(MD).No.9227 of 2019

Allbinvargis : Petitioner/Defacto Complainant
Vs.

State represented by its,
The Inspector of Police,
Andipatti Police Station,
Theni District. : Respondent/Complainant

PRAYER: Petition is filed under Section 482 of Criminal Procedure Code to direct the Judicial Magistrate, Andipatti, to expedite case in C.C.No.196 of 2016 and to dispose the case, within the time frame as fixed by this Court.

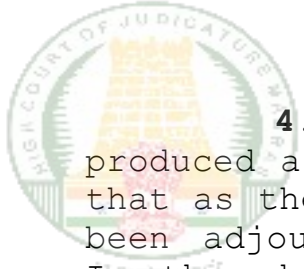
For Petitioner : Mr.S.Ramasamy
For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl, side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the learned Judicial Magistrate, Andipatti, to expedite and dispose of the case in C.C.No.196 of 2016, within the time frame as fixed by this Court.

2. The grievance of the petitioner is that the learned Judicial Magistrate, Andipatti, has taken cognizance of the offence in the year 2016, and the matter is now pending for three years and there is no progress in the trial. Hence, the petitioner has filed the present petition seeking for a direction to expedite and dispose of the case in C.C.No.196 of 2016.

3. Today, when the matter was taken up for hearing, the learned Government Advocate (Crl. side), appearing for the State, on instructions, submitted that already the trial has commenced and one witness was examined. But other prosecution witnesses did not appear before the learned Judicial Magistrate and hence, the learned Judicial Magistrate is adjourning the matter periodically. He further submitted that the matter is posted for examination of the prosecution witnesses on 15.10.2019.



4. The learned counsel appearing for the petitioner produced a copy of B-Diary, perusal of the same, it could be seen that as the prosecution witnesses did not appear and the trial has been adjourned by the learned Judicial Magistrate periodically. In the above circumstances, the learned Judicial Magistrate is directed to take necessary steps for appearance of the witnesses and expedite the trial and complete the same, within a period of four months from the date of receipt of a copy of this order.

5. The Criminal Original Petition stands disposed of with the above direction.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The learned Judicial Magistrate, Andipatti.

2.The Inspector of Police,
Andipatti Police Station,
Theni District.

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

+1 CC to Mr.S.RAMASAMY, Advocate SR-73156.

Order made in
CRL.O.P. (MD) .No.9227 of 2019

Dated:
02.07.2019

CS(22.07.2019) 2P 5C