



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD)No.939 of 2018

The Deputy Superintendent of Police,
Crime Branch, CID, Trichy Range,
in Crime No. 368/2007
Alangudi Police Station,
Pudukkottai District.

... Petitioner/Complainant

Vs.

Thava. Panchalan

...Respondent/Proposed Accused

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Additional District and Sessions Judge cum Fast Track Court, Pudukkottai to pass an orders on the requisition dated 24.08.2015 in S.C.No.52 of 2011 on this filed by the petitioner within the stipulated time as fixed by this Court.

For Petitioner : Mr.K.Suyambulinga Bharathi, GA,

For Respondent : Mr.D.Ramesh Kumar

O R D E R

This petition has been filed by the Investigation Agency for a direction to the learned Additional District and Sessions Judge, Fast Track Court, Pudukkottai to pass an order on the un-numbered requisition petition dated 24.08.2015 in S.C.No.52 of 2011 filed for a direction to undergo Brain Morphing Test in S.C.No.52 of 2011 by the petitioner within the stipulated time as fixed by this Court.

2.The learned Government Advocate (criminal side) submitted that the said petition was not even numbered no notice was ordered to the accused persons. He further submitted that the Case is of the year 2011 and to prove the charges against the accused, the said requisition is just and necessary one. Even then the trial Court has not considered the application and hence, the petitioner/ Investigating Agency filed the present Criminal Original Petition.

3.The learned counsel for the respondent submitted that the application filed by the Investigation Agency has been taken on



file and numbered and notice has been issued notice to the accused. On the notice, the accused have appeared and filed objection in the said application.

4.On the submission made by the learned counsel, it is seen that the requisition petition filed by the investigation officer has been numbered and also notice has been issued to the accused. On the said notice, the accused filed their objection.

5.Considering the above facts, this Court directs the learned Additional District and Sessions Judge cum Fast Track Court, Pudukkottai, to dispose the application filed by the Investigation Officer, on merits and in accordance with law, with in a period of four weeks from the date of receipt of a copy of this order, if not already disposed of.

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

Sd/-

Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
FAST TRACK COURT,
PUDUKKOTTAI.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D. RAMESH KUMAR, Advocate (SR-85202[F] dated 05/09/2019)

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JM/19.09.2019/2P/4C