



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2019

CORAM:

WEB COPY

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

Crl.O.P(MD).No. 12608 of 2019

N. Natheem

...Petitioner/ Accused No.6

Vs.

State rep. by
The Inspector of Police,
Thakkalai Police Station,
Kanyakumari District.
(Crime No.122 of 2016)

...Respondent/ Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Judicial Magistrate No.I, Padmanabhapuram to expeditiously complete the committal proceedings pending in PRC.No.26 of 2017 within the time stipulated by this Court.

For Petitioner : Mr.R.Karunanidhi
For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking direction to the learned Judicial Magistrate No.I, Padmanabhapuram to complete the committal proceedings pending in PRC.No.26 of 2017 pending on its file within the time stipulated by this Court.

2. It is seen that there are seven accused in Crime No. 122 of 2016 and the petitioner herein is arrayed as 6th accused. On the complaint lodged by the defacto complainant a case in Crime No. 122 of 2016 has been registered for the offences under Sections 147, 120(B), 307 r/w. 116 IPC. The respondent, Police completed the investigation and filed final report and it is pending for committal in PRC.No.26 of 2017, on the file of the learned Judicial Magistrate No.I, Padmanabhapuram. Since some of the accused were absent, the learned Judicial Magistrate issued Non Bailable Warrant and it is pending for execution. Even though the 6th accused is regularly appearing before the concerned Court, the learned Judicial Magistrate did not complete the committal proceedings. In such circumstances, the petitioner has filed the present petition.



3. Heard Mr. R. Karunanidhi, learned counsel appearing for the petitioner and Mr. K. Suyambulinga Bharathi, learned Government Advocate (Crl. Side) appearing for the respondent.

4. Considering the facts and circumstances of the case, this Court directs the learned Judicial Magistrate No.I, Padmanabhapuram to complete the committal proceedings pending on its file in PRC.No.26 of 2017, as expeditiously as possible, in any event, not later than within a period of six weeks from the date of receipt of a copy of this order, on merits and in accordance with law. Further, the petitioner is permitted to file an appropriate petition to split up the case.

5. With the above observations and directions, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

To

1. The Judicial Magistrate No.I, Padmanabhapuram
2. The Inspector of Police,
Thakkalai Police Station, Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-86056[F] dated
10/09/2019)

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