



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2019

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD) No. 4292 of 2013
and M.P (MD) No. 1 of 2013

S. Ganesan

... Petitioner

Vs.

1. The Director General of Police,
Office of the Director General of Police,
Kamarajar Salai, Chennai.
2. The Additional Director General of Police (CBCID),
Office of the Additional Director General of Police (CBCID),
Kamarajar Salai, Chennai.
3. The Superintendent of Police,
Office of the Superintendent of Police,
Kanyakumari District.
4. The Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.

... Respondents

PRAYER : Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to withdraw the case in Crime No.158 of 2011, on the file of the 4th respondent and entrust the same to the 2nd respondent for effective investigation and file charge sheet, within the time stipulated by this Court.

For Petitioner : Mr. R. Alagumani

For Respondents : Mr.A. Robinson,
Government Pleader (Criminal Side)

ORDER

The instant Writ Petition has been filed by the petitioner for withdrawal of the case from the file of the first respondent and entrust the same to the second respondent for investigation in Crime No.158 of 2011, from the file of the fourth respondent to the second respondent.



2. Today, when the matter is taken up for hearing, the learned Government Advocate (Criminal Side), on instructions from Mr.A. Balakrishnamani, Special Sub-Inspector of Police, Asaripallam Police Station, Kanyakumari District, would submit that the investigation in Crime No.158 of 2011 has been completed and a final report has also been filed for the offence punishable under Sections 294, 328, 304, 338 and 304(A) of the I.P.C., read with 4, 5, 6 and 35 of the Gas Cylinders Rules read with 20-A of the Indian Medical Councils Act. He further submitted that the case has been taken on file as Sessions Case No.191 of 2015, before the learned Assistant Sessions Judge, Nagercoil.

3. The learned counsel for the petitioner would submit that, though the final report has been filed and also taken on the file by the Assistant Sessions Court, Nagercoil, in the year 2015, the trial has not yet been commenced by the Trial Court and he requests for speedy disposal of the Sessions Case No.191 of 2015.

4. Since the Sessions case of the year 2015, this Court is constrained to issue a direction to the learned Assistant Sessions Judge, Nagercoil, to expedite the trial and conclude the same as expeditiously as possible.

5. With the above directions, this Writ Petition is closed. Consequently, connected Miscellaneous Petition is closed. No Costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Director General of Police,
Office of the Director General of Police,
Kamarajar Salai, Chennai.
2. The Additional Director General of Police (CBCID),
Office of the Additional Director General of Police (CBCID),
Kamarajar Salai, Chennai.
3. The Superintendent of Police,
Office of the Superintendent of Police,
Kanyakumari District.



4. The Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.

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

W.P. (MD) No. 4292 of 2013
25.02.2019

ksa

PK/25.04.2019 : 3P/6C