

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2020

CORAM

THE HON'BLE Mr. JUSTICE P.N. PRAKASH

Crl.O.P.Nos.10104, 10105, 10106 & 10107 of 2018

K.Manoharan

...Petitioner in all Crl.OPs

Vs.

State rep. by,
Inspector of Police,
District Crime Branch,
Nagapattinam.

...Respondent in all Crl.OPs

Prayer in Crl.OP.No.10104/2018 : Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Mahila Court Judge, Nagapattinam to dispose of the criminal appeal No.70/2011 in C.C.No.210/2001 within a reasonable time.

Prayer in Crl.OP.No.10105/2018 : Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Mahila Court Judge, Nagapattinam to dispose of the criminal appeal No.75/2011 in C.C.No.517/2001 within a reasonable time.

Prayer in Crl.OP.No.10106/2018 : Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Mahila Court Judge, Nagapattinam to dispose of the criminal appeal No.78/2011 in C.C.No.518/2001 within a reasonable time.

Prayer in Crl.OP.No.10107/2018 : Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Mahila Court Judge, Nagapattinam to dispose of the criminal appeal No.80/2011 in C.C.No.519/2001 within a reasonable time.

For Petitioner : Mr.K.Sannjay
(in all Crl.OPs)

For Respondent : Mrs.P.Kritika Kamal
(in all Crl.OPs) Government Advocate(Crl.Side)

COMMON ORDER

These cases are taken up through video conferencing.

2. The petitioner was convicted and sentenced in C.C.Nos.210/2001, 517/2001, 518/2001 & 519/2001 by the learned Judicial Magistrate, Nagapattinam on 12.10.2011 for the offences under Sections 468, 471, 477(A), 409 & 420 IPC r/w. 34 of IPC. Challenging the conviction and sentence, appeals have been preferred in C.A.Nos.70/2011, 75/2011, 78/2011 & 80/2011, which are pending on the file of the Sessions Court (Mahila Court), Nagapattinam, for disposal.

3. While that being so, K.Manoharan, the appellant has filed the present petition under Section 482 Cr.P.C. for a direction to the Appellate Court to dispose of the appeal expeditiously.

4. Heard Mr.K.Sannjay, learned counsel for the petitioner and Mrs.P.Kritika Kamal, learned Government Advocate (Crl.Side) appearing for the respondent.

5. Information received from the Mahila Court, Nagapattinam, shows that the learned counsel appearing for K.Manoharan, reported 'no instructions' on 29.07.2020 and therefore, the appeals are posted on 11.09.2020 for the appearance of K.Manoharan and for arguments. This is the normal technique that is adopted in the Subordinate Courts to avoid doing of a case before the Judge who is perceived to be very strict. Such tactics should be put to an end. It is open to the Appellate Court to cancel the suspension of sentence and bail and remand the accused to custody and conduct the appeals.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sni

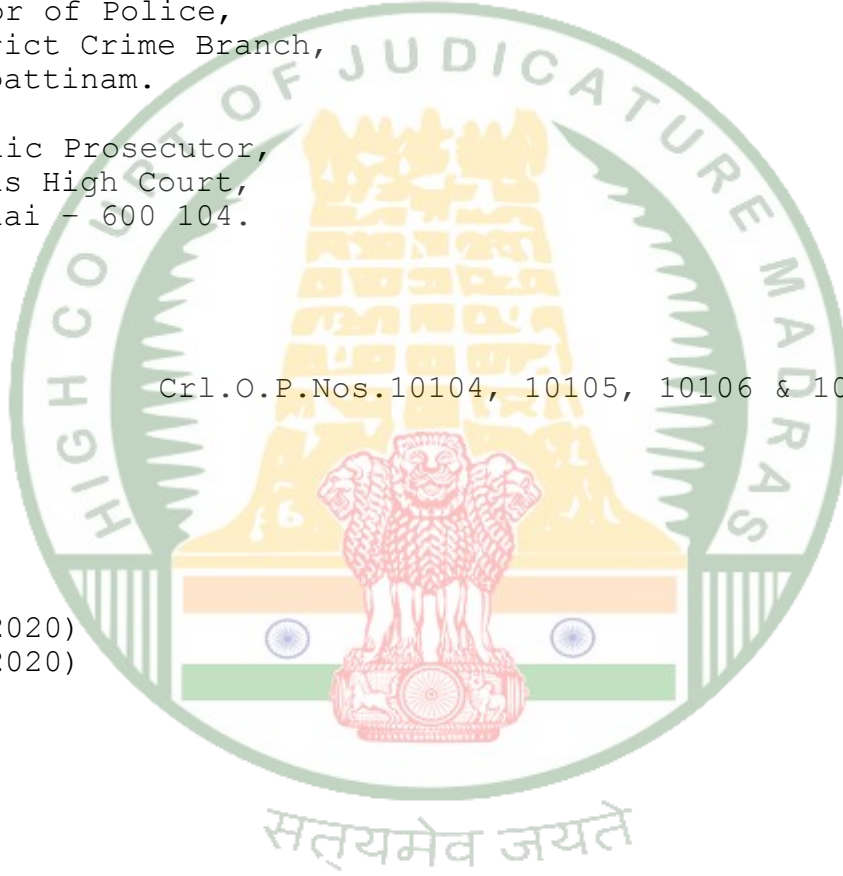
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To

- 1.The Judicial Magistrate No.1,
Nagapattinam.
- 2.Do thro The Chief Judicial Magistrate,
Nagapattinam.
- 3.Mahila Court Judge,
Nagapattinam
- 4.Inspector of Police,
District Crime Branch,
Nagapattinam.
- 5.The Public Prosecutor,
Madras High Court,
Chennai – 600 104.

Cr1.O.P.Nos.10104, 10105, 10106 & 10107 of 2018

AJS (CO)
RN(10/09/2020)
RN(23/11/2020)



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