

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2020

CORAM

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

Cr1.O.P.No.9477 of 2018

K.Samiyappan

.. Petitioner

Vs.

State represented by
The Inspector of Police,
Central Crime Branch,
Tiruppur District.
(Crime No.24 of 2016)

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the trial Court viz., Judicial Magistrate Court No.IV, Tiruppur, to expedite the trial in C.C.No.1103 of 2017 and complete the same within a time frame stipulated by this Court.

For Petitioner : Mr.K.Pradeep Raj

For Respondent : Mrs.P.Kritika Kamal
Government Advocate
(Cr1.Side)

WEB COPY
O R D E R

This case is taken up through video conferencing.

2. This criminal original petition is filed seeking to direct the trial Court viz., Judicial Magistrate Court No.IV, Tiruppur, to expedite the trial in C.C.No.1103 of 2017 and complete the same within a time frame stipulated by this Court.

3. When the matter was taken up for hearing, the learned counsel for the petitioner submitted that the petitioner was examined as PW1 in C.C.No.1103 of 2017, but, unfortunately, he died subsequently.

4. Mrs.P.Kritika Kamal, learned Government Advocate (Crl.Side) submitted that the trial in C.C.No.1103 of 2017 has begun with examination of two witnesses and on account of COVID-19 pandemic situation, the trial Court is not able to make any progress in the case.

5. In view of the above, the trial Court is directed to expeditiously complete the trial in C.C.No.1103 of 2017. If the accused does not co-operate with the trial, they can be remanded in custody, in the light of the law laid down in the judgment of the Supreme Court in State of Uttar Pradesh v. Shambhu Nath Singh¹. If the accused absconds, a fresh FIR can be registered under Section 229-A IPC.

In the result, this criminal original petition is allowed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

nsd

To

1.The Judicial Magistrate No.IV,
Tiruppur.

2. Do thro the Chief Judicial Magistrate, Tiruppur.

3.The Inspector of Police,
Central Crime Branch,
Tiruppur District.

4.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

Crl.O.P.No.9477 of 2018

A.SK(06/11/2020)