

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.02.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.2807 of 2020

P.Painthamizhkumaran

... Petitioner/
Defacto Complainant

Vs.

1. The Superintendent of Police,
Cuddalore District.

2. The Inspector of Police,
Cuddalore Port Police Station,
Cuddalore. (Crime No. 36 of 2018)

...Respondents/
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Hon'ble 1st Additional District Judge, Cuddalore to dispose the trial in S.C.No.31 of 2019 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.S.A.Shanmugam

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed by the Defacto Complainant to direct the I Additional District and Sessions Judge, Cuddalore to dispose the case in S.C.No.31 of 2019 within the time to be fixed by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The learned counsel for the petitioner has submitted that based on the complaint lodged by the petitioner, the second respondent has registered an FIR in Crime No.36 of 2018 under Sections 147, 148, 294(b), 324, 323, 307 and 302 of IPC and after investigation, charge sheet has been filed and the case

was taken on file in PRC No.19 of 2018 on the file of the Judicial Magistrate No.II, Cuddalore and subsequently the case was committed to the Principal District and Sessions Court and the case was taken on file in S.C.No. 31 of 2019 and made over to the I Additional District and Sessions Judge, Cuddalore and the same is pending before the said Court. He further submitted that in the said case, there are 21 accused and 66 witnesses were cited on the side of the prosecution. He further submitted that the accused persons have filed petitions one or two another to discharge them and thereby dragging the case. He further submitted that the accused persons are trying to tamper the witnesses and therefore he prayed to direct the Trial Court to dispose of the above said case at early.

4. The learned Additional Public Prosecutor has submitted that the case is of the year 2019 and only recently all the accused entered appearance; yesterday i.e., on 10.02.2020 it was posted for framing charge but some of the accused persons have filed discharge petitions and the same are pending and hence he requests to fix a reasonable time to dispose of the above said case.

5. Considering the fact that the aforesaid case is relating to the year 2019; 21 accused are involved and 66 witnesses were cited on the side of the prosecution and also submission of the both side that some of the accused persons have filed discharge petitions, this Court is inclined to direct the Trial Court to dispose of the aforesaid case as early as possible.

6. Accordingly, the Trial Court is directed to dispose of the case in in S.C.No.31 of 2019 as early as possible without giving any unnecessary adjournments.

7. With the aforesaid directions, this Criminal Original Petition is disposed of.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS-VIII)

// True Copy//

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Sub Assistant Registrar

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To

1. The I Additional District Judge,
Cuddalore.
2. The Superintendent of Police,
Cuddalore District.
3. The Inspector of Police,
Cuddalore Port Police Station,
Cuddalore.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Shanmugam, Advocate, SR.No.11110.

Crl.O.P. No.2807 of 2020

VG I(CO)
CSR: 20.03.2020
GMV(14/08/2020)



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