



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2020

CORAM:

WEB COPY

THE HONOURABLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**

Crl.O.P.(MD)No.2395 of 2020

P.Rajagopal : Petitioner/Defacto Complainant

Vs.

State represented by,
The Inspector of Police,
Teppakulam Police Station,
Madurai.

: Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the learned Judicial Magistrate No.1, Madurai to complete the trial in C.C.No.78 of 2018, within a period stipulated by this Court.

For Petitioner : Mr.S.Calvin Christopher

For Respondent : Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.1, Madurai to complete the trial in C.C.No.78 of 2018.

2.The learned counsel appearing for the petitioner would submit that based on the complaint given by the petitioner, the respondent police has registered a case in Crime No.10 of 2015 for the offences under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC. After registration of the case, an enquiry has been conducted and the same was closed as "Mistake of Fact" and a report has also been filed before the Judicial Magistrate No.1, Madurai. Hence, the petitioner has filed a protest petition in the Month of December, 2015. Since the protest petition was not decided, the petitioner earlier approached this Court and filed a petition in Crl.O.P.(MD). No.3691 of 2018 seeking a direction to direct the learned Judicial Magistrate No.1, Madurai to complete the trial in the protest petition in Cr.M.P.No.1087 of 2017 and this Court directed the learned Judicial Magistrate No.1, Madurai to complete the trial within a period of three months. Thereafter, the case was taken on



file in C.C.No.78 of 2018 and no further progress has been made in this case. He would further submit that totally there are six accused in this case and they are continuously filing a petition under Section 317 Cr.P.C for purposely delaying the trial and for causing hardship to the petitioner. Therefore, he would pray a direction may be issued to the learned Judicial Magistrate No.1, Madurai to complete the trial in C.C.No.78 of 2018 within a stipulated period.

3.The learned Additional Public Prosecutor would submit that totally there are 8 witnesses in this case and now the case stands posted for hearing on 14.02.2020.

4.Recording the submission made by the learned counsel appearing for the petitioner, the Judicial Magistrate No.1, Madurai, is directed to complete the trial in C.C.No.78 of 2018 and to dispose of the same on merits and in accordance with law within a period of six months from 14.02.2020.

5.With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg

To

1.The Judicial Magistrate No.1,
Madurai.

2.The Inspector of Police,
Teppakulam Police Station,
Madurai.

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

Crl.O.P. (MD)No.2395 of 2020

12.02.2020

JMN(02.03.2020) 2P : 4C