



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2020

CORAM:

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

Crl.O.P. (MD) No.2571 of 2020

Dr. Samuel George

...Petitioner/R-1

Vs.

The Sub Inspector of Police
Marthandam Police Station,
Kanyakumari District.

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to expedite the hearing in Cr.M.P.No. 5861/2019 in C.C.No.261/2018 before the Learned Judicial Magistrate No.I, Kuzhithurai and to dispose the same within stipulated time fixed by this Court.

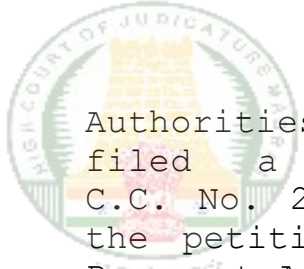
For Petitioner : Mr.C. Prabhu Rajadurai

For Respondent : Mrs.S.Bharathi
Government Advocate (crl. side)

ORDER

This petition has been filed seeking direction to expedite the hearing and dispose the petition in Cr.M.P.No. 5861/2019 in C.C.No.261/2018 pending on the file of the learned Judicial Magistrate No.I, Kuzhithurai within a stipulated time that may be fixed by this Court.

2. The learned counsel appearing for the petitioner would submit that the petitioner is practicing Doctor and running a private hospital in the name and style of 'S.G. Hospital' at Marthandam and he is also the Chairman/Correspondent of Immanuel Arasar JJ College of Engineering. Based on a complaint given by one Mariyan on 15.06.2011, the respondent police had registered a case and filed final report for the offences under Sections 294 (b), 324, 323 and 506(ii) of IPC and the same is pending for trial in C.C. No. 261 of 2018 on the file of the learned Judicial Magistrate No.I, Kuzhithurai. He would further submit that the petitioner has been issued a passport by the Passport Authorities on 12.10.2018 in Passport No.S6961930 and its valid till 11.10.2028. During the pendency of the case, the petitioner was directed to surrender his passport based on adverse input received from the respondent police. In due compliance of the same the petitioner has surrendered the passport before the Passport



Authorities. Since the petitioner has to travel to abroad he has filed a petition in Crl.M.P. NO. 5861 of 2019 in C.C. No. 261 of 2018 seeking to return of his passport. Though the petition was taken on file on 21.07.2019 and despite, the Passport Authorities having filed a counter on 17.12.2019 it has been adjourned without any order being passed,. Aggrieved over the same, the instant Petition is filed seeking to expedite and dispose the petition in Crl.M.P. No. 5861 of 2019 in C.C. No. 261 of 2018.

3. Heard the learned Government Advocate (crl. Side) appearing for the respondent and perused the materials available on record.

4. Considering the facts and circumstances of the case, direction is issued to the learned Judicial Magistrate No.I, Kuzhithurai to dispose the petition in Crl.M.P. No. 5861 of 2019 in C.C. No. 261 of 2018, within a period of One Month, from the date of receipt of copy of the order.

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

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Judicial Magistrate Court No.I, Kuzhithurai.
2. The Sub Inspector of Police, Marthandam Police Station, Kanyakumari District.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-7232[F] dated 20/02/2020)

Crl.O.P. (MD) No.2571 of 2020
19.02.2020

ss (CO)
TR(24.02.2020)2P 5C

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