



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2020

CORAM:

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

Crl.O.P. (MD) No.3694 of 2020

WEB COPY

1. T. Thankappan
2. Selin Mary

...Petitioners

Vs.

The Inspector of Police
Karungal Police Station

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying for speedy disposal of the case in C.C.No.198 of 2019 pending on the file of the learned Judicial Magistrate, Fast Track Court, Eraniel.

For Petitioners : Mr.J.John Jeyakumar

For Respondent : Mr.R.Anandharaj
Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to direct the learned Judicial Magistrate, Fast Track Court, Eraniel to dispose the case in C.C.No.198 of 2019 within a stipulated time that may be fixed by this Honourable court.

2. The learned counsel for the petitioners would submit that the petitioners are accused No.1 and 2 facing trial in C.C.No.198 of 2019 for the offence under Sections 447,294(b), 427, 506(ii) of IPC and Section 4 of TNPHW Act. He would submit that the case was registered during the year 2013 and the final report was filed during the year 2014 and the case was originally taken on file in C.C.No.167 of 2014 on the file of the District Munsif cum Judicial Magistrate, Eraniel and later the case was transferred to the file of the Judicial Magistrate, Fast Track Court, Eraniel and renumbered as C.C.No.198 of 2019 and the petitioners are facing trial for the past few years and there being no progress in this case and the petitioners are regularly appearing before the Court.



3. The learned Additional Public Prosecutor would submit that the respondents are ready to get along with the trial. He would also submit that presently there is no Presiding Officer to the Court of Judicial Magistrate, Fast Track Court, Eraniel and thereby there are unable to proceed with the trial. He would also submit that if the regular Magistrate takes charge, they are ready to get along with the trial.

4. Under such circumstances , there shall be a direction to the learned Judicial Magistrate, Fast Track Court, Eraniel to dispose the case pending in C.C.No.198 of 2019 within a period of four months from the date of regular Presiding Officer assuming charge.

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

Sd/-

Assistant Registrar(AE)

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/ /2020

Sub Assistant Registrar(CS)

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To

1. The Judicial Magistrate, Fast Track Court, Eraniel

2.The Inspector of Police
Karungal Police Station

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

+1 CC to M/s.J.JOHN JEYAKUMAR, Advocate (SR-9215[F] dated
28/02/2020)

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TR(16.03.2020)2P 5C