



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P (MD) No.4012 of 2020

Nathiya Jenifa

... Petitioner/De-Facto
Complainant

Vs

State Rep. by
The Inspector of Police,
All Women Police Station,
Dindigul.
(Crime No.32 of 2017)

... Respondent

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned Additional Mahila Court, Dindigul to expedite the trial and dispose of the case in C.C.No.484 of 2019 pending before it within the period that may be stipulated by this Court.

For Petitioner : Mr.K.K.Samy

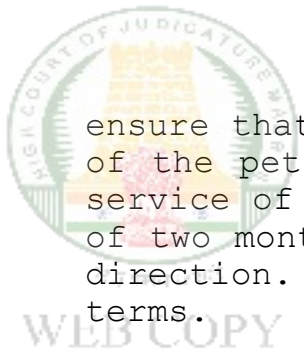
For Respondent : Mr.A.Robinson
Government Advocate (Crl.side)

ORDER

This criminal original petition has been filed for expediting the trial in C.C.No.484 of 2019 on the file of the Additional Mahila Court, Dindigul.

2.The petitioner is the defacto complainant. Her husband is said to be working in CISF. It appears that even summon has not been served. This Court will not be justified in giving any direction for the speedy disposal of the case itself without being aware of the workload of the Court below. But then, this Court will have to take a serious view of the non service of the summon for eight long months. The Court below will have to devise ways and means to effect service. It is seen that the co-accused are none other than parents and brothers of the husband of the petitioner herein. Therefore, it should not be difficult for the Court to ensure that service is effected.

3.Since the husband of the petitioner is in CISF, his appearance need not be insisted upon. He can be directed to file a petition under Section 205 of Cr.P.C., so that, even for answering the charges or for being examined under Section 313 of Cr.P.C., his Advocate can represent him. This direction is given in order to



ensure that the case is not dragged on by the absence of the husband of the petitioner herein. The Court below shall first ensure that service of the husband of the petitioner is effected within a period of two months. At this stage, it is not possible to give any other direction. This criminal original petition is disposed of on these terms.

sd-
Assistant Registrar(AD-I)
// True Copy //

/ /2020
Sub Assistant Registrar

rmi

To

- 1.The Inspector of Police,
All Women Police Station,
Dindigul.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:- The Judge,
Additional Mahila Court (Judicial Magisterial Level)
Dindigul.

+1 CC to M/s.K.K.SAMY, Advocate (SR-10018[F] dated 04/03/2020)

Crl.O.P (MD) No.4012 of 2020
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AP(17.03.2020) 2P 5C