



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Crl.O.P.[MD]No.7908 of 2020

Ramasamy

... Petitioner/Sole Accused

Vs.

1.The Inspector of Police,
Anjugramam Police Station,
Kanyakumari District.
(Crime No.283 of 2013)

...1st Respondent/Complainant

2.Manoharan

... 2nd Respondent/ Defacto
complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Judicial Magistrate No.III, Nagercoil, to speed up and complete the trial proceedings in C.C.No.68 of 2018 within a stipulated time by strictly adhering the order passed by the learned Principal Sessions Judge, Kanyakumari District @ Nagercoil in his proceedings in அ.எண்.6542/2019-அ2, dated 19.08.2019.

For Petitioner : Mr.M.Solaisamy

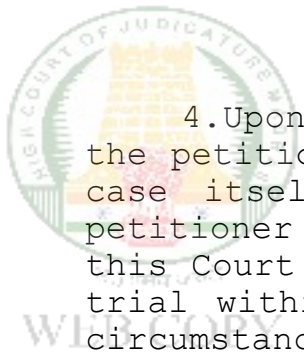
For R-1 : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking a direction to direct the learned Judicial Magistrate No.III, Nagercoil, to speed up and complete the trial proceedings in C.C.No.68 of 2018 within a stipulated time.

2.The learned counsel for the petitioner would submit that the petitioner is an accused in C.C.No.68 of 2018 pending on the file of the learned Judicial Magistrate No.III, Nagercoil, in which, the petitioner faces the trial for the offences punishable under Sections 457 and 380 of I.P.C. The only grievance redressed by the petitioner is to direct the learned Judicial Magistrate No.III, Nagercoil, to complete the enquiry within a short period, since he is in judicial custody from the date of occurrence to till date.

3.The learned Additional Public Prosecutor appearing for the first respondent, on instructions, would submit that in the case on hand i.e C.C.No.68 of 2018 is pending for the examination of L.W.9 to L.W11.



4. Upon considering the arguments advanced by either side, since the petitioner is in the judicial custody from the inception of the case itself, this Court accepts the grievance redressed by the petitioner is a genuine one. However, due to pandemic situation, this Court is not in a position to give a direction to complete the trial within a short period. However, considering the facts and circumstances of the case, the learned Judicial Magistrate No.III, Nagercoil, is directed to dispose the case in C.C.No.68 of 2018 as early as possible preferably within a period of two months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Judicial Magistrate N.III, Nagercoil.

2. The Inspector of Police,
Anjugramam Police Station,
Kanyakumari District.

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

Copy to:

The Principal Sessions Judge,
Kanyakumari District at Nagercoil.

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