



6+BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2020

CORAM:

THE HONOURABLE **MR. JUSTICE R. PONGIAPPAN**

CrI.O.P. (MD)No.8835 of 2020

P.K.Ram Kumar : Petitioner/Defacto Complainant

Vs.

The State represented through
The Deputy Superintendant of Police,
Thoothukudi South Sub Division,
Thoothukudi South Police Station,
Crime No.533 of 2019 : Respondent/Complainant

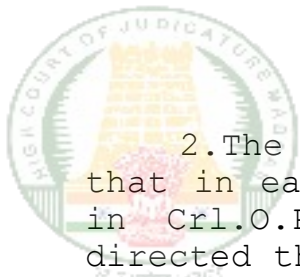
PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned II Additional Sessions Judge, The Special Court for SC/ST (Prevention of Atrocities) Act, Tirunelveli, to frame the charges under Section 211 Cr.P.C through video conference in SC No.187/2019 pending on the file of the learned II Additional Sessions Judge, The Special Court for SC/ST (Prevention of Atrocities) Act, Tirunelveli, within the time limit that may be stipulated by this Court.

For Petitioner : Mr.A.S.Vaigunth

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate

O R D E R

This Criminal Original Petition has been filed seeking a direction to direct the learned II Additional Sessions Judge, Special Court for SC/ST (Prevention of Atrocities) Act, Tirunelveli, to frame the charge under Section 211 of Cr.P.C. through video conferencing in S.C.No.187/2019 pending on the file of the learned II Additional Sessions Judge, Special Court for SC/ST (Prevention of Atrocities) Act, Tirunelveli, within the time limit that may be stipulated by this Court.



2.The learned counsel appearing for the petitioner would submit that in earlier, while at the time of disposing the petition filed in CrI.O.P(MD) No.18762 of 2019, dated 19.12.2019, this Court directed the learned II Additional Sessions Judge, Special Court for SC/ST (Prevention of Atrocities) Act, Tirunelveli, to dispose the petition mentioned case within the stipulated period. In spite of several efforts made by the Presiding Officer of the Court concerned, due to COVID-19 it is unable to complete the trial within the stipulated period as fixed by this Court.

3.Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondent.

4.Though it was directed by this Court as above to dispose the case in S.C.No.187 of 2019, all are aware that due to the COVID-19 pandemic only, now all the Courts are directed to take up some emergency work. In the said situation, directing the learned II Additional Sessions Judge, Special Court for SC/ST (Prevention of Atrocities) Act, Tirunelveli, to complete the trial by utilizing the video conferencing, is not appropriate one. Only the Presiding Officer of the Court concerned is a fit person to decide whether it is possible to complete the trial by utilizing the video conferencing. Therefore, further order in this application is not necessary. However, the petitioner is directed to approach the Court concerned for the relief sought for in this application.

5.With the above observations, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (Ad-II)

// 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 II Additional Sessions Judge,
The Special Court for SC/ST (Prevention of Atrocities) Act,
Tirunelveli,.

WEB COPY

2.The Deputy Superintendant of Police,
Thoothukudi South Sub Division,
Thoothukudi South Police Station,
Thoothukudi.

Copy to: The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.8835 of 2020
24.08.2020

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