



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.12395 of 2020

B.Vaanmathi

... Petitioner/ defacto
complainant/defacto complainant

Vs

The Inspector of Police,
Dindigul Town South Police Station,
Dindigul District.

(In Crime No.632 of 2018)

...Respondent/ Respondent/
Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the learned Judicial Magistrate No.III, Dindigul to commit case in PRC.No.15 of 2019 in Crime No.632 of 2018 on the file of the respondent police to the learned Principal District and Sessions Court, Dindigul expeditious within the time stipulated by this Court.

For Petitioner	:	Mr.J.Lawrance
For Respondent	:	Mr.V.Neelakandan
		Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.III, Dindigul to commit case in PRC.No.15 of 2019 in Crime No.632 of 2018 on the file of the respondent police to the learned Principal District and Sessions Court, Dindigul expeditious within the time stipulated by this Court.

2.According to the petitioner, she lodged a complaint before the respondent police that her husband namely Balasubramani did not return back his home. Based on the complaint, the respondent police registered a case in Crime No.697 of 2018 as ' Man Missing' case. Thereafter, during enquiry, the respondent police found that the petitioner's husband was murdered by the accused persons who were friends of the deceased. Then the case was altered into Sections 120 (b), 302, 379, 380 and 201 I.P.C. After completing investigation, charge sheet has been filed before the learned Judicial Magistrate No.III, Dindigul and the same was taken on file as P.R.C.No.15 of 2019 as against the accused persons and it is pending. The grievance of the petitioner is that on 11.02.2019, the charge sheet has been taken on file and copies were furnished to the accused and it was posted on 15.02.2019 for committal proceedings. But, so far the case



was not committed to appropriate Court. Despite the matter being posted on several occasions, the same is not committed to the appropriate Court due to dilatory tactics of the accused and the respondent police is also not taking any effective steps to proceed with the said case. Hence, the petitioner is before this Court.

WEB COPY

3.The learned Additional Public Prosecutor appearing for the respondent seeks four weeks time to commit the case to appropriate Court.

4.Considering the submissions made on either side, the learned Judicial Magistrate No.III, Dindigul is directed to commit case in PRC.No.15 of 2019 in Crime No.632 of 2018 on the file of the respondent police to the learned Principal District and Sessions Court, Dindigul, within a period of four weeks from the date of receipt of a copy of this order.

5.With this direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Msa

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 No.III, Dindigul.

2.The Principal District and Sessions Judge,Dindigul.

3.The Inspector of Police,
Dindigul Town South Police Station,Dindigul District.

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

+1 CC to M/s.J.LAWRANCE, Advocate (SR-21291[F] dated 05/11/2020)

CrI.O.P(MD)No.12395 of 2020

05.11.2020

ARK(CO)

AP(27/11/2020) 2P 6C

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