



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**
Cr1.O.P. (MD) .No.18803 of 2019

Jeyamani

... Petitioner

Vs.

The Inspector of Police
Keeranur Police Station
Pudukottai District
(Crime No.306 of 2004)

... Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the learned District Munsif cum Judicial Magistrate, Keeranur, Pudukottai District to proceed the case in PRC No.5 of 2019 on the file of the learned District Munsif cum Judicial Magistrate, Keeranur in Pudukottai District expeditiously and dispose the case within a time frame fixed by this Honourable Court.

For Petitioner : Mr.S.Mohammad Kasim

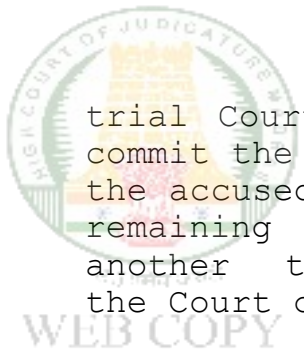
For Respondents : Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

This petition has been filed to direct the learned District Munsif cum Judicial Magistrate, Keeranur, Pudukottai District to proceed the case in PRC No.5 of 2019 expeditiously and dispose the case.

2. The learned counsel for the petitioner would submit that the case is of the year 2004 and the final report has been filed before the concerned Court on 08.04.2005 in C.C.No.118 of 2005 and there is no progress in this case.

3. The learned Additional Public Prosecutor would submit that originally the case was taken on file in C.C.No. 118 of 2005 for the offence under Sections 147,148,324,326,323 and 506(ii) of IPC. During the course of trial witnesses PW.1 to PW.17 were examined. Since the evidence prima facie disclosed commission of offence under Section 307 of IPC the respondent police filed CMP No. 8218 of 2018 under Section 323 of Cr.P.C for including Section 307 of IPC and to commit the case to the Sessions Court for trial and the



trial Court by an order dated 02.02.2019 had passed the order to commit the case to the Court of Sessions . In the meanwhile three of the accused persons have passed away and the case is pending against remaining accused. Since the accused are absenting one after another the concerned Magistrate is unable to commit the case to the Court of Sessions.

4. In view of the above, there shall be a direction to the learned District Munsif cum Judicial Magistrate, Keeranur, Pudukottai District to take steps to insist for the presence of the accused and commit the case to the Court of Sessions at the earliest preferably within a period of two months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

aav

To

1. The District Munsif cum Judicial Magistrate,
Keeranur, Pudukottai District
2. The Inspector of Police
Keeranur Police Station
Pudukottai District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) .No.18803 of 2019
06.01.2020

MA (CO)
TR(27.01.2020) 2P 4C