

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.6393 of 2021

Ganesan

... Petitioner

Versus

The Inspector of Police,
Dharapuram Police Station,
Tirupur District.
(Crime No.519/2009).

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the Judicial Magistrate, Dharapuram to conduct the case pending in C.C.No.16 of 2010 in a speedy manner and decide the same as per the procedure established by law.

For Petitioner : Mr.V.Parthiban

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

The petitioner/defacto complainant has filed this petition seeking early disposal in C.C.No.16 of 2010, since the case has been for more than 10 years without any progress.

2.This Court, by order, dated 07.04.2021 directed the Registry to call for the report from the learned Judicial Magistrate, Dharapuram. As per the order, the learned Judicial Magistrate, Dharapuram has sent a report dated 21.04.2021 in D.No.287 of 2021. It is seen from the report that summons were sent to all the four accused and they were appeared before the trial Court on 04.03.2020 and the copies were furnished to them and charges were framed and they denied the same as false and thereafter, the case is posted for trial. In the meanwhile, one of accused (A4) has filed CrI.O.P.No.8888 of 2010 before this Court and his personal appearance was dispensed with. Since the dispensation of the personal appearance of A4 was ordered, the case before the trial Court periodically adjourned without any progress. Now, all the accused are appearing before the trial Court and summons to the witness have already been ordered and the case is now posed on 22.04.2021 for trial. It is also seen that there are only 7 witnesses in this case.

3.Considering the inordinate delay and the case has been pending for a decade, the trial Court is directed to complete the trial within a

period of three months from the date of receipt of a copy of this order.

4.It is made clear that this three months time is only an outer limit and no further time would be granted for any reason. During trial, if the accused adopt any dilatory tactics, the trial Court is at liberty to take coercive action, including cancellation of bail.

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

23.04.2021

Index: Yes/No
Internet: Yes/No

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To

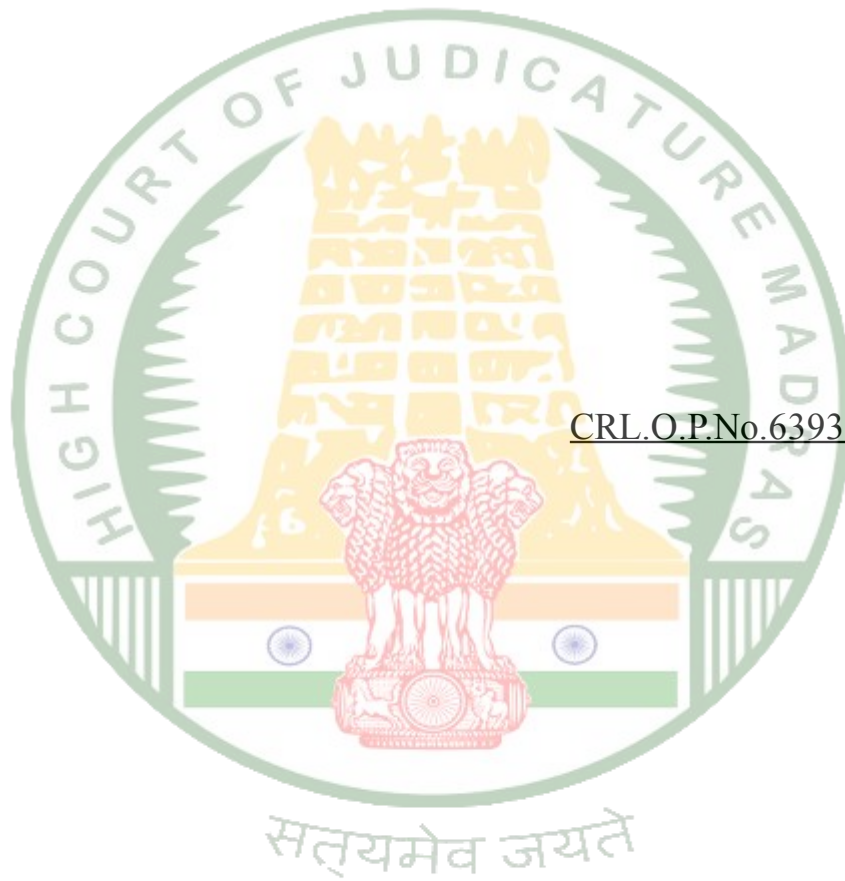
1.The Judicial Magistrate Court,
Dharapuram.

2.The Inspector of Police,
Dharapuram Police Station,
Tirupur District.

3.The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.

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