



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25.01.2021

PRESENT

THE HONOURABLE MRS .JUSTICE R.HEMALATHA

CRL OP(MD) . No.1041 of 2021

WEB COPY

Karthikeyan

... Petitioner/Accused No.2

Vs

The Inspector of Police,
Chokkampatti Police Station,
Tirunelveli District.

(In Crime No.66 of 2014)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to direct the Judicial Magistrate, Tirunelveli District (now Tenkasi District) to complete the trial in CC.No.326 of 2017 within a specific period.

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

ORDER

The present petition is filed by the petitioner seeking to direct the learned Judicial Magistrate, Tenkasi to complete the trial in CC.No.326 of 2017 within a period prescribed by this Court.

2.Mr.S.Balaji, learned counsel for the petitioner drew the attention of this Court to the extract of B-diary and submitted that though the case is posted for framing of charges, as early as on 17.12.2019, the learned Judicial Magistrate, Tenkasi did not frame the charges till now.

3.Mr.S.Chandrasekar, learned Additional Public Prosecutor, who accepts notice on behalf of the respondent, would contend that since the Mines and Minerals (Development and Regulation) Act, 1957 is also attracted in the present case, the entire case has to be committed to the Court of Sessions and that the extract of B-diary also shows that on 05.11.2020, the learned Judicial Magistrate posted the case for committal proceedings.

4.The learned Judicial Magistrate, Tenkasi is directed to bestow his personal attention and commit the case to the Court of Sessions in accordance with law within a period of two weeks from the date of receipt of a copy of this order and on such committal, the concerned Sessions Judge is directed to dispose of the case as expeditiously as possible.



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

Sd/-

Assistant Registrar (AE)

// True Copy //

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Sub Assistant Registrar(CS)

Rmk

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, Tenkasi.

2. The Inspector of Police,
Chokkampatti Police Station,
Tirunelveli District.

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

Copy to:- The Registrar(Judicial),
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.BALAJI, Advocate (SR-1958[F] dated 25/01/2021)

ORDER

IN

CRL OP(MD). No.1041 of 2021

25.01.2021

(MJ) CO

AP(18/02/2021) 2P 6C