



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.3476 of 2021

WEB COPY

Sundarrajan Gnanasekar

...Petitioner/Defacto Complainant

Vs.

State rep. by
The Inspector of Police,
District Crime Branch,
Tirunelveli,
Tirunelveli District.

... Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to expedite the trial in C.C.No.120 of 2013 on the file of the Judicial Magistrate Court No.I, Tirunelveli.

For Petitioner : Mr.V.Kannan

For Respondent : Mr. A.Robinson
Government Advocate (Criminal Side)

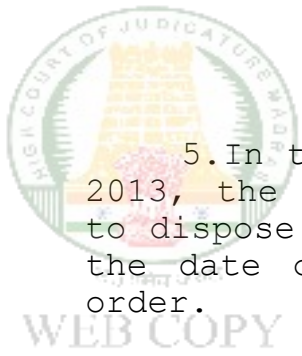
ORDER

The main grievance of the petitioner is that the Judicial Magistrate No.I, Tirunelveli, is not proceeding further in C.C.No.120 of 2013 on the ground that an order of the stay was granted by this Court in C.C.No.120 of 2013.

2. Perusal of the online case status report shows that from 18.02.2016, the matter has been simply adjourned till 18.02.2021, for the reason that there is an order of stay.

3.Both the learned counsel for the petitioner as well as the learned Government Advocate for the respondent submitted that there is no order of stay passed by this Court, in C.C.No.120 of 2013.

4.The Judicial Magistrate No.I, Tirunelveli, should have ascertained from the High Court, whether there is an order of stay passed by this Court. Without doing the same, the concerned Judicial Magistrate, has simply adjourned the case stating that the matter is being stayed. He has also not obtained any affidavit from the concerned counsel on record, with regard to extension of stay order.



5.In the circumstances, since the case is pending from the year 2013, the Judicial Magistrate Court No.I, Tirunelveli, is directed to dispose of C.C.No.120 of 2013 within a period of six months from the date of receipt of a copy of this order / uploading of the order.

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

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rm

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.

Copy to :

- 1.The Judicial Magistrate Court No.I,
Tirunelveli,
- 2.The Inspector of Police,
District Crime Branch,
Tirunelveli,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.3476 of 2021
12.03.2021

VB (07.04.2021) 2P 4C