



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No. 11447 of 2021

S.L. Jawaharlal

... Petitioner/P.W.1

Vs.

State rep. by
The Inspector of Police,
District Crime Branch,
Theni District.
(Crime No. 11 of 2009)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to issue a suitable direction to the trial Court for speedy disposal of the above case in C.C. No.34 of 2012 on the file of the learned Judicial Magistrate, Theni, to dispose the case on day to day basis within stipulated time.

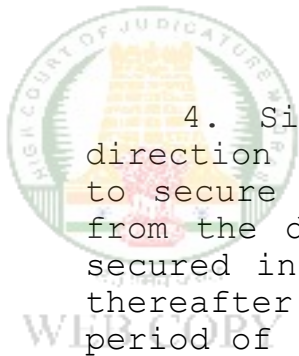
For Petitioner	:	Mr.G. Rajaraman
For Respondent	:	Mr.R.M.Anbunithi
		Additional Public Prosecutor
		(Crl.Side)

ORDER

The petition has been filed seeking for a direction to the learned Judicial Magistrate, Theni, to expedite the trial in C.C. No.34 of 2012 and complete the same, within the time stipulated by this Court.

2. The petitioner herein is the defacto complainant in Crime No.11 of 2009 which was registered against 10 accused persons for the offences punishable under Sections 406, 420, 423, 467 r/w 34 of IPC, Originally, the case was taken on file by the learned District Munsif Cum Judicial Magistrate, Andipatty, in C.C. No.136 of 2010 and later it was transferred to the learned Judicial Magistrate, Theni, and the same was renumbered as C.C. No.34 of 2012. Without any proper reason, it has been kept pending for more than nine years.

3. The learned Additional Public Prosecutor (crl. Side) appearing for the respondent police would submit that all the witnesses have been examined in this case and due to the absence of accused Nos.7 & 10 warrant has been issued. He would further submit that due to the non-execution of the warrant the case has been kept pending.



4. Since the case is of the year 2012, there shall be a direction to the learned Judicial Magistrate, Theni, to take steps to secure the accused Nos.7 & 10, within a period of one month, from the date of receipt of copy of this order. If they are not secured in the meantime, the case against them may be split up and thereafter may dispose the case in C.C.No.34 of 2012, within a period of two months.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ksa

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,
Theni.
2. The Inspector of Police,
District Crime Branch,
Theni District.
Ramanathapuram District.
- 3 .The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.G.RAJARAMAN, Advocate (SR-26344[F] dated 16/08/2021)

Crl.O.P. (MD)No.11447 of 2021
16.08.2021

RK (25.08.2021) 2P 5C