



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19095 of 2021

P.M.Neelamegam

... Petitioner

Vs.

State represented by its
The Inspector of Police,
CBCID, OCU,
Trichy.
(Crime No.4 of 2015)

... Respondent

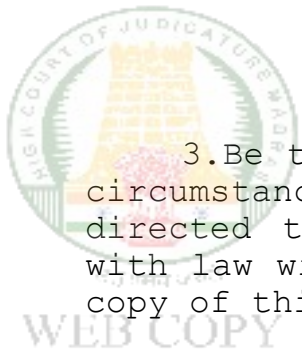
Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate No.VI, Trichy to dispose the case in P.R.C.No.8 of 2016 within stipulated time.

For Petitioner	:	Mr.T.A.Ebenezer
For Respondent	:	Mr.M.Sakthi Kumar, Govt. Advocate (Crl. Side).

O R D E R

The petitioner is figuring as first accused in P.R.C.No.8 of 2016 on the file of the Judicial Magistrate No.VI, Trichy. Crime No.316 of 2012 was registered on the file of the Fort Police Station, Trichy City for the various offences. In the said case, positive final report was filed and that the case was taken on file in P.R.C.No.8 of 2016. At this stage, further investigation was transferred to the respondent. The respondent after further investigation submitted the final report closing the case as 'mistake of fact'. Since RCS notice has to be sent to the complainant, the Court below rightly sent the same way back in the year 2019. Even though two years have gone by, the case is still hanging fire. Hence, this criminal original petition has been filed for concluding the proceedings.

2.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that the post of presiding officer is lying vacant for more than 1 ½ years. I therefore cannot fault the Court below.



3.Be that as it may, taking into account, the special facts and circumstances obtaining in this case, the in-charge magistrate is directed to conclude the proceedings on merits and in accordance with law within a period of ten weeks from the date of receipt of a copy of this order.

4.This criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 No.VI,
Trichy.
- 2.The Inspector of Police,
CBCID, OCU,
Trichy.
- 3.The Additional Public Prosecutore,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P(MD)No.19095 of 2021
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RD(17.12.2021) 2P 4C