



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.8557 of 2022

S.Karthikeyan,
S/o.Shanmugam

... Petitioner/Accused

Vs

1. The State Represented by
The Inspector of Police,
DCB, Nagapattinam.

... 1st Respondent/Complainant

2. Muniyandi.C,
S/o.Chinnathambi

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate-I, Nagapattinam to complete the trial in C.C.No.228 of 2021 pending on the file of the learned Judicial Magistrate-I, Nagapattinam within a specific time.

For Petitioner : ***Mr.U.Kathiravan**

For Respondents :

For R1

: Mr.A.Gokulakrishnan

Additional Public Prosecutor

ORDER

This petition has been filed, to direct the learned Judicial Magistrate-I, Nagapattinam to complete the trial in C.C.No.228 of 2021 pending on the file of the learned Judicial Magistrate-I, Nagapattinam.

2. The learned counsel for the petitioner would submit that the petitioner is an accused facing trial in C.C.No.228 of 2021 pending on the file of the learned Judicial Magistrate-I, Nagapattinam for the offences punishable under Sections 406 and 420 of I.P.C.



3. The learned counsel for the petitioner would submit that though the petitioner is a native of Mayiladuthurai, he is presently working as an Office Assistant in the High Commission of India at London. He would further submit that the second respondent/defacto complainant in order to cause trouble to the petitioner, has given a false complaint as against the petitioner.

4. Based on the complaint of the second respondent/defacto complainant, the first respondent police without properly conducting the investigation had filed the charge sheet against the petitioner. Now the second respondent/defacto complainant is causing further trouble by not completing the trial so as to delay the petitioner from leaving India. He would further submit that the petitioner has got a limited period of leave and further delay would affect his employment and thereby he would seek a direction may be issued to the learned Judicial Magistrate-I, Nagapattinam to complete the trial in C.C.No.228 of 2021 at the earliest.

5. The learned Additional Public Prosecutor for the first respondent would submit that in this case there are totally seven witnesses including the investigating officer, so far LW1 and LW2 have been examined as PW1 and PW2 and the Trial Court has issued summons on 06.04.2022 for appearance of LW3 to LW5 on 19.04.2022. He would further submit that thereafter the investigation officer has to be examined.

6. Taking into consideration the case has been posted for appearance of LW3 to LW5 on 19.04.2022, a direction is issued to the learned Judicial Magistrate-I, Nagapattinam to complete the trial in C.C.No.228 of 2021, as expeditiously as possible, preferably, within a period of two months from 19.04.2022 and deliver the Judgment.

7. This Criminal Original Petition stands disposed of with the above observation and direction.

Sd/-

Assistant Registrar(CS-IV)

Dated:25.04.2022

***corrected as per Petitioner's
Counsel Letter dated 16.06.2022**

-s/d-

Sub Assistant Registrar(CSII)

dt 24.06.2022

//True Copy//

Sub Assistant Registrar

rgm/arb



To

1. The Judicial Magistrate-I,
Nagapattinam.

2. The Inspector of Police,
DCB, Nagapattinam.

3. The Public Prosecutor,
High Court of Madras.

to be substituted the order
already despatched on **26.04.2022**

+1cc to Mr.U.Kathiravan, Advocate, S.R.No.25595

Cr1.O.P.No.8557 of 2022

BS (CO)

SU (26/04/2022)

A.SK (27/06/2022)