



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2022

WEB COPY

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.9326 of 2022

A.Deepa

...Petitioner

Vs.

1.D.Yuvaraj @ Balaji
2.N.Dharani Naidu
3.D.Indirani Ammal
4.Ravindran
5.Umamaheswari
6.Renuka Devi @ Vani

...Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the Trial Court for speedy disposal of the above case in MC.No.70/2015 on the file of the XVIII Metropolitan Magistrate Saidapet, Chennai to dispose the case within the stipulated time.

For Petitioner : Mr.L.Thiyagaiya

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the Trial Court for speedy disposal of the above case in M.C.No.70/2015 on the file of the Learned XVIII Metropolitan Magistrate Saidapet, Chennai.

2. Learned Counsel for the petitioner would submit that the petitioner has filed MC.No.70 of 2015 on the file of the Learned XVIII Metropolitan Magistrate Saidapet, Chennai under Section 12 read with Section 19(2) (8), 20(3), 22 of Protection of Woman From Domestic Violence Act, 2005 Read with 200 Criminal Procedure Code. The case was taken on file during the year 2015. On 03.01.2020, the petitioner was examined in chief as PW1 and on her side Ex.P1 to Ex.P6 were marked and the case was posted for cross examination to 31.01.2020, from that day the case was posted to 21.02.2022. Thereafter, since the Court was closed due to pandemic situation, the case was posted to various dates. After reopening of Court, the case was taken on 15.04.2021 and there is no progress in the case. The respondent is not taking



any steps to cross examine the petitioner. As per Section 12(5) of the Protection of Woman From Domestic Violence Act, 2005, the Magistrate shall endeavour to dispose of every application made under Sub Section 1 of the Domestic Violence Act within a period of 60 days from the date of its first hearing. He would further submit that the petition has been pending without any progress, thereby seeking for a direction to the trial Judge to dispose MC.No.70 of 2020 within a stipulated time.

3.Heard the learned Counsel and perused the materials available on record.

4.The case has been taken up during the year 2015 and the petitioner had been examined as PW1 on 03.01.2020. Thereafter, there is no progress in the case. The Learned XVIII Metropolitan Magistrate Saidapet, Chennai is directed to take every endeavour to dispose of the trial as per the Section 12 (5) of the Protection of Woman From Domestic Violence Act, 2005, within a period of four months from the date of receipt of a copy of this order.

5.With this direction, this Criminal Original Petition stands disposed of.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

nti/sai
To

1. The XVIII Metropolitan Magistrate,
Saidapet, Chennai
 2. Do Thro The Chief Metropolitan Magistrate
Egmore, Chennai
- +1 CC to Mr.L.Thiyagaiya, Advocate sr 27873.

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GPL (CO)
SP(09/05/2022)