



Crl.O.P.Nos.24193 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 10.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.Nos.24193 of 2022

Nandhakumar

... Petitioner

Vs.

The State rep by
The Inspector of Police,
Palladam Police Station,
Tiruppur District.

... Respondent

Prayer: Criminal Original Petitions filed under Section 482 of the Criminal Procedure Code, 1973 to direct the Judicial Magistrate, Palladam for expeditious time bound disposal of C.C.No.42 of 2018 pending on the file of the Judicial Magistrate, Palladam.

For petitioner : Mr.T.Balaji

For respondent : Mr.S.Santhosh
Government Advocate (crl.side)



WEB COPY



Crl.O.P.Nos.24193 of 2022

ORDER

This petition has been filed to direct the Judicial Magistrate, Palladam to expedite and dispose the C.C.No.42 of 2018 pending on the file of the Judicial Magistrate, Palladam.

2. The learned counsel for the petitioner submitted that the petitioner is an accused in C.C.No.42 of 2018 on the file of the Judicial Magistrate and the respondent police prosecuted the case against the petitioner for the offence punishable under Section 304(A) IPC. He further submitted that though the case has been taken on file in the year 2018, till now, it is pending without any progress and hence this petition.

3. The learned Government Advocate (Crl.Side) submitted that, in this case, witness summon has been issued by the learned Judicial Magistrate, Palladam and it was received by the respondent police and also served to the witnesses and the Trial is yet to be commenced.



Crl.O.P.Nos.24193 of 2022

WEB COPY

4. A perusal of the records reveals that the petitioner is the sole accused in C.C.No.42 of 2018 on the file of the Judicial Magistrate, Palladam and the respondent police prosecuted the case against the petitioner for the offence punishable under Section 304 IPC. After investigation, final report was filed and the copies were also furnished to the accused on 27.04.2018, under Section 207 of Cr.P.C. Thereafter, fresh summon to the witnesses was issued on 27.12.2018, 16.04.2019, 0908.2019, 24.10.2019. Subsequently, after Covid Lockdown, again, fresh summon was ordered on 21.01.2021 and on further dates till 05.09.2022. During such period, the case is pending at the same stage of issuing summon and fresh summon to the witnesses, without any progress. The learned Government Advocate (Crl.Side) submitted that summons served to the witnesses and Trial is yet to be commenced.

5. Therefore, considering the above facts and also taking into account the submission made by the learned Government Advocate (Crl.Side), the learned Judicial Magistrate, Palladam is directed to conclude the Trial, without giving further adjournments, within three



Crl.O.P.Nos.24193 of 2022

months from the date of receipt of the copy of this order.

WEB COPY

6. With the above direction, this criminal original petition is allowed.

10.10.2022

(1/2)

Index: Yes/No
mst

To

1. The Inspector of Police,
Palladam Police Station,
Tiruppur District

2. The Public Prosecutor,
Madras High Court.



WEB COPY



Crl.O.P.Nos.24193 of 2022

V.SIVAGNANAM, J.

mst

Crl.O.P.Nos.24193 of 2022

**10.10.2022
(1/2)**