



CrI.O.P.No.28903 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

CrI.O.P.No.28903 of 2022

P.Kumarasamy

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Puliampatti Police Station,
Erode District.
(Crime No.49 of 2015)

... Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C., to direct the Mahila Court, Erode to conclude the trial of S.C.No.43 of 2018 expeditiously within the time frame fixed by this Court.

For Petitioner : Mr.S.Kamadevan
For Respondent : Mr.S.Santhosh,
Govt. Advocate (CrI.Side)

ORDER

This Criminal Original Petition has been filed to direct the Mahila Court, Erode to conclude the trial of S.C.No.43 of 2018 expeditiously within the time frame fixed by this Court.



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2. Heard the learned counsel for the petitioner and the learned

Government Advocate (Crl.Side) for the respondent.

3. The case of the prosecution is that the petitioner is a victim in the case involved in S.C.No.43 of 2018 on the file of the Mahila Court, Erode. On 22.02.2015, a group of 12 persons kidnapped the petitioner, his wife and son in the knife point with dire consequences. It is submitted that the main accused is an Advocate by profession and there are totally 13 accused. The petitioner got a fortunate escape from the said occurrence due to interception of night patrol police.

4. The learned counsel for the petitioner submitted that despite there are serious allegations concerning the safety of the petitioner and his family members, the learned Trial Court has not expedited the matter in the manner expected by the petitioner.

5. It is seen from the E-Court proceedings that the case is adjourned for several hearings due to non-execution of pending NBW against some



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of the accused. It is seen from the adjournments dated 09.11.2022, 14.11.2022 that NBW against A7 has been executed. As of now, NBW is pending against A8 alone. In that case, the learned Sessions Judge will be helpless unless all the accused are produced before the Court. This Court feels it is appropriate to direct the Investigation Officer to take all serious steps to secure A8 and produce him before the Court. In that event, the learned Sessions Judge is also impressed to expedite the trial and do all things possible to ensure the presence of the accused for hearing without fail.

6. With the above observations, this Criminal Original Petition is disposed.

24.11.2022

Index: Yes/No
Internet: Yes/No
gsk



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R.N.MANJULA ,J.

gsk

To

- 1.The Sessions Judge,
Mahila Court, Erode.
- 2.The Inspector of Police,
Puliampatti Police Station,
Erode District.
- 3.The Public Prosecutor,
High Court, Madras.

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