



WEB COPY



Crl.O.P.No.29397 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 30.11.2022**

**CORAM**

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

**Crl.O.P.No.29397 of 2022**

M.Badhurudeen

... Petitioner

/vs/

1. Rajvelu,  
Inspector of Police (Crime)  
B-14, Kuniyamuthur Police Station,  
Kuniyamuthur,  
Coimbatore.

2. Sambath,  
Sub-Inspector of Police (Crime)  
B-14, Kuniyamuthur Police Station,  
Kuniyamuthur,  
Coimbatore.

3. Sundaresan,  
Inspector of Police (Crime)  
B-12, Ukkadam Police Station,  
Ukkadam,  
Coimbatore.

... Respondents

**Prayer :** Criminal Original Petition has been filed under Section 482 of Cr.P.C. to issue a direction to the respondents to complete the trial in C.C.No.109 of 2017 on the file of the Judicial Magistrate Court No.5, Coimbatore, within a reasonable time.

For Petitioner

... Ms.S.Nadhiya



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## **ORDER**

**WEB COPY** This Criminal Original Petition has been filed to direct the respondents to complete the trial in C.C.No.109 of 2017 on the file of the Judicial Magistrate Court No.5, Coimbatore, within a reasonable time.

2. The brief facts of the case are that the petitioner is a defacto complainant and he has given a complaint against the respondents who are the Police officials by alleging that he was harassed and threatened by the respondents; they also demanded 20 sovereigns of gold from the petitioner; he had handed over 128 grams of gold bar to the 1<sup>st</sup> respondent and he has not involved in any of the offences; hence the defacto complainant has given a private complaint against the respondents and a case has been taken on file in the year 2017 in C.C.No.109 of 2017 on the file of the learned Judicial Magistrate V, Coimbatore; however no action has been taken for a decade.

3. On perusal of the e-court adjudication, it is seen that service is pending from the year 2017. Since the respondents are police officials and



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there cannot be any difficulty in serving summons and make their appearance before the Court, for the reason best known to the learned Judicial Magistrate V, Coimbatore, the summons have not yet been served. If the learned Judicial Magistrate V, Coimbatore satisfies that the summons was not served wantonly and the respondents are dragging the proceedings, it is incumbent upon the learned Judicial Magistrate to pass appropriate orders in order to ensure the appearance of the respondents and in the event of appearance of the respondents before the trial Court, the learned Judicial Magistrate V, Coimbatore shall complete the trial within a period of three months from the date of receipt of a copy of this order.

4. With the above observation, this Criminal Original Petition stands disposed of.

**30.11.2022**

Index: Yes/No  
Internet: Yes/No  
Speaking/Non speaking order  
vum



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**R.N.MANJULA ,J.**

vum

To

1. The Judicial Magistrate V,  
Coimbatore.

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