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Crl.O.P.No.30936 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2022

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

Crl.O.P.No.30936 of 2022

G.V.Nagaraj

... Petitioner

Vs.

1. Inspector of Police,
Thammampatty Police Station,
Salem.

2. Sengottuvel

... Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the trial Court/lower court to complete the trial in S.C.No.79 of 2022 which is pending before the sub-court, Attur, within the time framed by this Hon'ble Court.

For Petitioner : Mr.K.Gandhi Kumar

For Respondent : Mr.S.Santhosh,
Govt. Advocate (Crl.Side) for R1



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ORDER

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This Criminal Original Petition has been filed seeking direction for speedy disposal of the case in S.C.No.79 of 2022 pending before the Sub-Court, Attur.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent.

3. The petitioner is the sole accused in the above said case. The learned counsel for the petitioner submitted that earlier the case was pending before the learned Judicial Magistrate-II, Attur in C.C.No.363 of 2020; after examination of seven witnesses, the learned Magistrate has sent the case records to the learned Principal Sessions Judge, Salem on the observation that the case has got the ingredients to make out certain offence triable by the Court of Sessions; subsequently, the matter has been taken on file by the Principal Sub Court, Salem and thereafter, the case was assigned to the Sub Court, Attur in SC.No.79 of 2022.

4. The learned Government Advocate (Crl.Side) appearing for the first respondent submitted that if the witnesses have been examined and the delay is caused only due to the subsequent proceedings, a direction is essential for speeding up the trial.



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5. The records would show that the matter has already suffered a partial trial before the learned Judicial Magistrate-II, Attur and thereafter, got assigned to the file of the Sub Court, Attur by the learned Principal Sessions Judge, Salem.

6. Considering the extraordinary situation that has arisen in this matter and taking into consideration the submission made by the learned counsel for the petitioner, I feel that it is appropriate to direct the learned Sub Judge, Attur to complete the trial and dispose of the case in SC.No.79 of 2022 as expeditiously as possible and preferably within a period of four months from the date of receipt of a copy of this order.

7. With the above directions, this Criminal Original Petition is disposed of.

16.12.2022

kmi

To

1. The Sub Judge,
Attur, Salem District.
2. The Inspector of Police,
Thammampatty Police Station,
Salem.
3. The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA, J.

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