



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Criminal Appeallate Jurisdiction

Thursday, the Ninth day of February Two Thousand and Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.540 of 2022

Arumainayagam

... Petitioner/Accused

Vs

- 1 The Inspector of Police,
All Women Police Station,
Ambasamudiram,
Tirunelveli District.
(In Crime No.18 of 2016
S.C.No.96 of 2017)
- 2 The Inspector of Police
Veeravanallur Police Station,
Tirunelveli District.
(In Crime No.175 of 2016
S.C.No.95 of 2017)

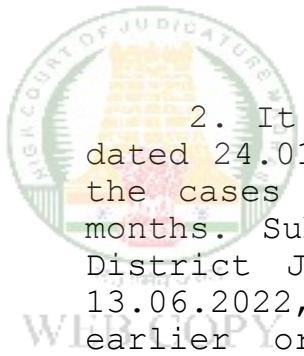
... Respondents/Complainants

Prayer :-

Criminal Original Petition filed under Section 482 Cr.P.C., praying to issue a suitable direction to the Additional District Court No.II for PCR Act cases, Tirunelveli to complete the trial of the cases in S.C.No. 95 of 2017 and S.C.No. 96 of 2017.

ORDER:- This Criminal Original Petition is coming on for orders on this day under the caption "Extension of time" and upon perusing earlier orders of this Court dated 24.01.2022, 13.06.2022 and 10.11.2022 and the requisition letter submitted by the II Additional District Judge (PCR), Tirunelveli in D.No.124/2023, dated 23.01.2023, seeking further extension of time for dispose of the cases in S.C.No.95/2017 and 96/2017 pending on the file of the from II Additional District Judge (PCR), Tirunelveli, this Court made the following order:

"The Criminal Original Petition is listed today, under the caption 'for extension of time'.



2. It is evident from the records that this Court vide order dated 24.01.2022, directed the trial Court to complete the trial of the cases in S.C.Nos.95 and 96 of 2017 within a period of three months. Subsequently at the request of the learned II Additional District Judge (PCR), Tirunelveli, this Court vide order dated 13.06.2022, granted three months further time to comply with the earlier order, dated 24.01.2022. Subsequently, the learned II Additional District Judge has submitted a requisition dated 28.09.2022, seeking two months further time to dispose the cases. Considering the said requisition, the learned Predecessor Judge has directed the learned II Additional District Judge to offer remarks regarding the trial proceedings in S.C.Nos.95 and 96 of 2017. In pursuance of the said directions, the learned Additional District Judge has submitted his remarks and on that basis, this Court vide order dated 10.11.2022, directed the said Court to dispose of the case one after the other within a reasonable period of two months, after the completion of arguments and after delivering the judgment, the other case can be immediately taken up for trial.

3. Now the learned II Additional District Judge has submitted a requisition dated 23.01.2022 soliciting suitable instructions as to the disposal of both the cases, as this Court has, in the previous extension order has directed to deliver the judgment in one case and take the other case subsequently and fixed two months time for disposal of the cases.

4. The learned trial Judge in his requisition has specifically stated that both the cases were tried simultaneously and the prosecution side evidence were already over and that both the cases are pending in the stage of arguments.

5. It is pertinent to note that the pending cases in S.C.Nos.95 and 96 of 2017 are not the case and case in counter. Originally this Court, vide order dated 24.01.2022, has directed the trial Court to complete the trial in both the cases and to dispose of the same within a period of three months. Since the trial in both the cases were completed, the cases stand posted for arguments.

6. Considering the above, the learned II Additional District Judge (PCR), Tirunelveli, is directed to hear the arguments and dispose of the cases in S.C.Nos.95 and 96 of 2017 within a period of one month from the date of receipt of copy of this order."

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/03/2023

Sub Assistant Registrar(CS)



DAS
TO

1. The Principal District Judge, Tirunelveli.
2. The II Additional District Judge (PCR) Act Cases,
Tirunelveli.

Copy to:

1. The Registrar Judicial,
Madurai Bench of Madras High Court,
Madurai.
2. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 09/02/2023

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ORDER
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CRL OP(MD) .No.540 of 2022

SI(02.03.2023) 3P/ 5C