



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR
Crl.O.P.(MD)No.4223 of 2019

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Jesu Anthony Kiruba

... Petitioner/ Sole Accused

vs.

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Tharuvaikulam Police Station,
Thoothukudi District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records with regard to final report filed in S.T.C.No.82 of 2018 against Crime No.108 of 2017 pending on the file of the Judicial Magistrate Court, Vilathikulam and set aside the same and further direct the first respondent to conduct further investigation by appointing another competent investigation officer and file final report afresh before the concerned Judicial Magistrate, Vilathikulam within the time stipulated by this Court.

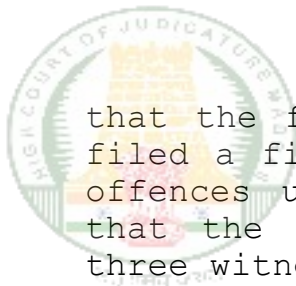
For Petitioner : Mr.G.Ganesh Kumar

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., to call for the records relating to the final report filed in S.T.C.No.82 of 2018 pending on the file of the Judicial Magistrate, Vilathikulam and set aside the same and direct the first respondent to conduct further investigation by appointing competent Investigation Officer and file a fresh final report.

2.When the matter is taken up for hearing today (03.02.2022), the learned Additional Public Prosecutor would submit that the pillion rider, who had accompanied the petitioner, has given a specific statement that the petitioner alone had driven the vehicle rash and negligently and he was responsible for the accident and



that the first respondent, after completing the investigation, has filed a final report against the petitioner herein for the alleged offences under Sections 279 and 337 IPC. He would further submit that the learned Magistrate has already commenced the trial and three witnesses have already been examined.

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3.At this juncture, the learned counsel for the petitioner would submit that it would be suffice, if the learned Magistrate is directed to dispose the case within the time fixed by this Court.

4.Considering the above facts and circumstances and also taking note of the limited prayer now sought for, without expressing any view with regard to the merits of the case, this Court directs the learned Judicial Magistrate, Vilathikulam, to complete the trial and dispose of the case as expeditiously as possible preferably, within a period of three months from the date of receipt of a copy of this order.

5.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

csm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Judicial Magistrate,
Vilathikulam.
- 2.The Superintendent of Police,
Thoothukudi District.
- 3.The Inspector of Police,
Tharuvaikulam Police Station,
Thoothukudi District.



4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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