



Crl.O.P.(MD) No.7985 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.7985 of 2022

1.Suresh Kumar

2.Shanthi

...Petitioners / Accused No.2 and 4

VS

The State, represented by,
The Inspector of Police,
District Crime Branch,
Ramanathapuram.
(Crime No.7 of 2004)

...Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,
praying to direct the learned Judicial Magistrate No.II, Ramanathapuram
District to complete the trial in C.C.Nos.99, 100 and 101 of 2016 as
expeditiously as possible within the time frame fixed by this Court.

For Petitioners : Mr. R.L.Dhilipan Pandian

For Respondent : M/s. R.M.Anbunithi,
Additional Public Prosecutor (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed by the accused 2 and 4 to direct the learned Judicial Magistrate No.II, Ramanathapuram District to complete the trial in C.C.Nos.99, 100 and 101 of 2016 as expeditiously as possible within the time frame fixed by this Court.

2. As per the order dated 20.04.2022, the learned Single Judge of this Court had directed the learned Judicial Magistrate No.II, Ramanathapuram to complete the trial within a period of two months from the date of receipt of copy of this order and also directed the accused 2 and 4 to co-operate with the trial proceedings.

3. Today, when the case came up for hearing under caption for "extension of time". The learned Judicial Magistrate No.II, Ramanathapuram, through letter of the learned Chief Judicial Magistrate in D.No.1646 of 2022 dated 20.10.2022, had sought two months further extension of time.



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4. As per the letter of the learned Judicial Magistrate No.II, Ramanathapuram, examining all the witnesses on the prosecution side had been completed. The accused had been examined under Section 313 of Cr.P.C. and the case was posted for the defence witnesses. At that stage, the accused had filed this petition under Section 91 of Cr.P.C. to issue summons for production of documents in the custody of the District Collector, Ramanathapuram. The said Petitions were allowed by the learned Judicial Magistrate No.II, Ramanathapuram in CrI.M.P.No 3411, 3412 and 3410 of 2022 dated 12.10.2022 and the summons had been issued for production of documents sought by the defence side.

5. In the light of the letter of the learned Judicial Magistrate No.II, Ramanathapuram, further time of three months is granted to the learned Judicial Magistrate No.II, Ramanathapuram, to complete the trial in C.C.Nos.99, 100 and 101 of 2016. The learned Judicial Magistrate No.II, Ramanathapuram, shall stick on to the time table to complete the proceedings. The examination of witnesses shall proceed on the day to day basis. When the witnesses are present and examined by the prosecution or defence, they shall be cross examined on the same day. The learned Judicial



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Magistrate No.II, Ramanathapuram, is directed to follow the guidelines in the reported ruling of the Honourable Supreme Court in ***Vinod Kumar vs. State of Punjab [2015(1) MLJ (crl) 288]*** and disposed of the case within the extended period and report compliance. No further extension will be granted.

16.11.2022

Internet: Yes/No
Index: Yes/no
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To

1. The Judicial Magistrate Court No.II,
Ramanathapuram,
2. The Inspector of Police,
District Crime Branch,
Ramanathapuram..
3. The Additional Public Prosecutor (Crl. Side),
Madrurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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