



Crl.O.P.(MD) No.12040 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

Crl.O.P.(MD) No.12040 of 2022

V.Karunakaran,

: Petitioner

Vs

1. State represented by
The Inspector of Police,
District Crime Branch,
Tiruchirappalli.

2. Sivakumar,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to issue direction directing the learned Judicial Magistrate No.I, Tiruchirappalli, to dispose the C.C.No.821 of 2021 with expeditiously time fixed by this Court.

For Petitioner	: M/s.Arun Jayatram P,
For R1	: Mr.R.Suresh Kumar,
	Government Advocate (Crl.Side)



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ORDER

This criminal original petition has been filed seeking a direction to the learned Judicial Magistrate No.I, Tiruchirappalli, to dispose of the case in C.C.No.821 of 2021.

2.The learned Counsel appearing for the petitioner submitted that based on the complaint lodged by the petitioner, a case has been registered against the second respondent in Crime No.11 of 2018, for the offences under Sections 417 and 420 IPC. After investigation, the respondent police filed charge sheet before the learned Judicial Magistrate, Musiri and the same was taken on file in C.C.No.78 of 2018. Further, he stated that a summon had been issued on 16.11.2018, for appearance of the accused person. But, so far, the accused person had not appeared before the Court below. Hence this petition.

3.The learned Government Advocate (Crl.Side) submitted that the case is pending for want of the appearance of the accused person, further, he assured to secure the accused person and produce him before the Court below.



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4.I have considered the matter in the light of the submissions made by both the parties.

5.On perusal of records, it reveals that the petitioner lodged a complaint against the second respondent and for the same, an FIR had been registered in Crime No. 11 of 2018. After investigation, the respondent police filed charge sheet before the learned Judicial Magistrate, Musiri and the same was taken on file in C.C.No.78 of 2018. Then, the case in C.C.No.78 of 2018 was transferred to the file of the learned Judicial Magistrate No.I, Tiruchirappalli and the same had been taken cognizance in C.C.No.821 of 2021. After that, a summon was issued on 16.11.2018, for the appearance of the accused person. But, after so many adjournment, till now the accused person did not appear before the trial Court.

6.Considering the facts and circumstances, the first respondent is directed to serve the summon to the accused person and secure him for appearance before the Court below within a period of two weeks, from the date of receipt of a copy of this order. The learned Judicial Magistrate No.I, Tiruchirappalli is directed to proceed further and complete the trial within a



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period of six months, from the date of receipt of a copy of this order.

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7.With the above directions, this criminal original petition stands disposed of.

05.07.2022

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



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V.SIVAGNANAM, J.

lr

To

1. The Judicial Magistrate No.I,
Tiruchirappalli

2.The Inspector of Police,
District Crime Branch,
Tiruchirappalli.

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

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