



Crl.O.P.(MD) No.12346 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2022

CORAM:

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

Crl.O.P.(MD) No.12346 of 2022

Valan Arasi,

: Petitioner

Vs

State represented by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli Distirct.
(In Crime No.337 of 2021).

: Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the District Munsif cum Judicial Magistrate Court, Rathapuram to committal the case in PRC No.12/2021 to the competent Sessions Court and proceed the case as expeditiously by the competent Court within the time stipulated by this Court.

For Petitioner : M/s.Karunanidhi R,
For Respondent : 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 District Munsif cum Judicial Magistrate Court, Rathapuram, to commit the case in PRC No.12/2021 to the competent Sessions Court.

2.The learned Counsel appearing for the petitioner submitted that based on the complaint lodged by the petitioner, a case has been registered in Crime No.337 of 2021. After investigation, final report had been filed before the District Munsif cum Judicial Magistrate Court, Radhapuram, and the same was taken on file in P.R.C.No.12 of 2021, then copies were furnished in the Twelfth Month of 2021. After that, the case posted for committal. Since, the accused persons are not regularly appeared before the trial Court, the case was periodically adjourned from 15.11.2021 to 06.07.2022. Hence, this petition has been filed.

3.The learned Government Advocate (Crl.Side) submitted that all the accused persons were appeared before the trial Court. But, they are repeatedly filing petitions under Section 317 of Cr.P.C and prevented from committing the case as early.



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WEB COPY

4. Heard both sides and I have considered the submissions made by both the parties.

5. On a perusal of the case diary, it is seen that copies were furnished to the accused on 15.12.2021 and posted the case on 29.12.2021, for committal. Then, the case was periodically adjourned for several dates i.e., 12.01.2022, 25.01.2022, 08.02.2022, 22.02.2022, 08.03.2022, 15.03.2022, 29.03.2022, 12.04.2022, 26.04.2022, 26.05.2022, 03.06.2022, 08.06.2022, 10.06.2022, 16.06.2022, 29.06.2022 and finally, the case was posted on 06.07.2022. After that, now, the case is again posted on 17.07.2022. Under these circumstances, it is seen that because of the attitude of the accused persons, the case is prolonged for non-committing the case to the concerned Sessions Court.

6. Hence, if any accused person is not co-operating with the criminal proceedings in P.R.C.No.12 of 2021, by filing petitions under Section 317 of Cr.P.C, the District Munsif cum Judicial Magistrate Court, Rathapuram, is directed to cancel the bail and remand all the accused persons and commit the case to the concerned Sessions Court, within a period of two weeks, from the



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date of receipt of a copy of this order and after committal, the District Munsif cum Judicial Magistrate Court, Rathapuram, should report to this Court.

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

08.07.2022

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

Note: Issue Order copy on 11.07.2022



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V.SIVAGNANAM, J.

lr

To

1. The District Munsif cum
Judicial Magistrate Court,
Rathapuram.
- 2.The Inspector of Police,
Koodankulam Police Station,
Tirunelveli Distirct.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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