



Crl.O.P.(MD) No.12367 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.12367 of 2022

M.Saravanan,

: Petitioner

Vs

State represented by
The Inspector of Police,
Thallakulam Police Station,
Madurai.
Crime No.715 of 2014

: Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the Judicial Magistrate No.II, at Madurai to expedite the trial of the case in CC.No.1415 of 2019 within a time frame as stipulated by this Court.

For Petitioner : M/s.Sriram V,
For Respondents : 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.II, at Madurai to expedite the trial of the case in CC.No.1415 of 2019 within a time frame as stipulated by this Court.

2.The learned Counsel appearing for the petitioner submitted that the petitioner is the defacto complainant and the accused persons are prosecuted for the offences under Sections 420, 201, 203 IPC r/w 34 of IPC. The case in C.C.No.1415 of 2019 is pending on the file of the learned Judicial Magistrate No.II, Madurai. The accused persons appeared before the trial Court on 05.02.2020 and after following the formalities, the witnesses were examined, then, the prosecution evidence has been completed on 28.07.2021 and the case was posted for examination of defence side witnesses and periodically, the accused protracted the case and now, the case is posted on 18.07.2022 for defence witnesses. Under these circumstances, the petitioner seeks for an earlier disposal of the case in C.C.No.1415 of 2019.

3.The learned Government Advocate (Crl.Side) submitted that in this case, prosecution witnesses had been examined and the case had been



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periodically adjourned from 28.01.2021 to 04.08.2021, for defence witnesses.

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4.I have considered the submissions made by both the parties.

5.On a perusal of the case diary, it would reveal the fact that based on the petitioner's complaint, an FIR had been registered in Crime No.715 of 2014. After investigation, final report had been filed before the learned Judicial Magistrate No.II, Madurai and the same was taken on file in C.C.No. 1415 of 2019. Hence, the accused persons are prosecuted by the respondent police for the offences punishable under Section 420, 201, 203 IPC r/w 34 of IPC. Then, the accused persons appeared before the trial Court on 03.02.2020 and copies were furnished on that date. Thereafter, on 05.02.2020, charge has been framed under Sections 420, 201, 203 r/w 34 IPC. Then, the witness PW-1 was examined on 09.03.2020. So far, eleven prosecution witnesses were examined. On 28.07.2021, the prosecution side evidence was closed and Section 313 of Cr.P.C questioning was recorded on 04.08.2021. As on 26.10.2021, three defence witnesses had been examined and then, the case is adjourned to 18.07.2022.



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6.Considering the facts and circumstances of the case, the learned Judicial Magistrate No.II, Madurai, is directed to dispose of the case in C.C.No.1415 of 2019, within a period of two weeks, from the date of receipt of a copy of this order.

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

08.07.2022

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



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V.SIVAGNANAM, J.

lr

To

1.The Judicial Magistrate No.II,
Madurai.

2.The Inspector of Police,
Thallakulam Police Station,
Madurai.

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

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