



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.10406 of 2019

and

Crl.M.P.(MD)No.6530 of 2019

WEB COPY

Pauldurai : Petitioner/A4

vs.

M.Syed Sahul Hameed : Respondent / Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records pertaining to the case in C.C.No.19 of 2011 pending on the file of the learned Chief Judicial Magistrate, Tirunelveli and quash the same.

For Petitioner : Mr.S.Chellapandian

For Respondent : No Appearance

O R D E R

The Criminal Original Petition has been filed, invoking Section 482 of Cr.P.C., seeking orders to call for the records in C.C.No.19 of 2011 pending on the file of the learned Chief Judicial Magistrate, Tirunelveli and quash the same.

2. Notice sent to the respondent through Court has been returned unserved for the reason that the respondent was not residing for the past one year in the said address.

3.When the matter was taken up on 08.12.2021, this Court has directed the Registry to get a report from the learned Chief Judicial Magistrate, Tirunelveli regarding the stage of the case in C.C.No.19 of 2011. In pursuance of the same, the learned Chief Judicial Magistrate, Tirunelveli, has submitted a letter dated 17.12.2021, stating that the case was subsequently transferred to the file of the District Munsif Cum Judicial Magistrate Court, Shencottah, vide proceeding, dated 12.07.2012.

4.When the matter is taken up for hearing today (i.e.,12.01.2022), the learned counsel for the petitioner would
<https://hcservices.ecourts.gov.in/hcservices/>



submit that it would be suffice, if the learned Magistrate is directed to dispose of the case within the time frame to be fixed by this Court.

5.The petitioner is the Sub-Inspector of Police, attached to Achanputhur Police Station and he is the second accused in C.C.No.19 of 2011 pending on the file of the Chief Judicial Magistrate, Tirunelveli and now the same is pending before the District Munsif Cum Judicial Magistrate Court, Shencottah. It is pertinent to note that the case is pending from 2011, for the past more than 10 years.

6.Considering the above facts and circumstances and also taking note of the limited prayer now sought for by the petitioner, without expressing any view with regard to the merits of the case, the learned District Munsif Cum Judicial Magistrate Court, Shencottah, is directed to complete the trial and dispose of the case as expeditiously as possible preferably, within a period of four months from the date of receipt of a copy of this order.

7.With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

das

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 Chief Judicial Magistrate, Tirunelveli.
2. The District Munsif Cum Judicial Magistrate, Shencottah.

Copy to

The Registrar(Judicial),
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD)No.10406 of 2019

and

Crl.M.P.(MD)No.6530 of 2019

12.01.2022