



Crl.O.P.(MD) No.13805 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2022

CORAM:

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

Crl.O.P.(MD) No.13805 of 2022

Thanislas,

: Petitioner

Vs

State represented by
The Sub Inspector of Police,
Pazhugal Police Station,
Kanyakumari District.
Crime No.35 of 2018

: Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the learned Judicial Magistrate No.I, Kuzhithurai to expedite the trial in C.C.No.173 of 2019, within a stipulated time that may be fixed by this Court.

For Petitioner : M/s.Srinivasaragavan D,
For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)



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ORDER

WEB COPY This criminal original petition has been filed seeking a direction to the learned Judicial Magistrate No.I, Kuzhithurai to expedite the trial in C.C.No. 173 of 2019.

2.The learned Counsel appearing for the petitioner submitted that based on the petitioner's complaint, an FIR in Crime No.35 of 2018 had been registered, for the offences under Sections 147, 324, 323, 294(b) and 506(2) IPC. After investigation, charge sheet had been filed before the learned Judicial Magistrate No.I, Kuzhithurai and the same was taken on file as C.C.No.173 of 2019, which is still pending. Hence this petition has been filed seeking speedy trial in C.C.No.173 of 2019, pending on the file of the learned Judicial Magistrate No.I, Kuzhithurai.

3.The learned Government Advocate (Crl.Side) submitted that the trial in C.C.No. 173 of 2019 is pending for service of summons.

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



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5.On a perusal of the Diary extract, it is seen that the second accused appeared before the trial Court on 12.04.2019 and summon was issued to the first accused person to appear on 13.05.2019. As on date, the first accused was not appeared before the trial Court.

6.In view of the above facts and circumstances, the learned Judicial Magistrate No.I, Kuzhithurai, is directed to take measures to secure the first accused person and dispose of the case in C.C.No. 173 of 2019, on merits and in accordance with law, within a period of six months, from the date of receipt of a copy of this order.

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

01.08.2022

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, Kuzhithurai.

2.The Sub Inspector of Police,
Pazhugal Police Station,
Kanyakumari District.

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

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