



Crl.O.P.(MD)Nos.14512 & 6101 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD).Nos.14512 & 6101 of 2022

Crl.O.P.(MD).No.14512 of 2022:

Navaskhan

.. Petitioner/Victim 2nd Witness in

Vs.

The State rep. by
The Inspector of Police,
District Crime Branch,
Ramanathapuram,
Ramanathapuram District.
(Crime No.11 of 2020)

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction directing the learned Judicial Magistrate Court No.II, Ramanathapuram, to dispose the case in C.C.No.03 of 2022, within time fixed by this Court.

For Petitioner : Mr.R.Jegadeeswaran

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

Crl.O.P.(MD).No.6101 of 2022:

1.Sathik Batcha

2.Noor Mohamed

.. Petitioners/Accused Nos.2 & 3



Vs.

1.The State rep. by
The Inspector of Police,
District Crime Branch,
Ramanathapuram,
Ramanathapuram District.

.. 1st Respondent/Complainant

2.Thowlath Nooriya @ Thowlath Nisha

.. 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the Charge Sheet in C.C.No.03 of 2022 on the file of the learned Judicial Magistrate No.II, Ramanathapuram and quash the same.

For Petitioners : Mr.B.Prahalad Ravi

For Respondents : Mr.B.Nambiselvan for R1
Additional Public Prosecutor
Mr.S.Ramakrishnan for R2

COMMON ORDER

Crl.O.P.(MD).No.14512 of 2022 has been filed seeking direction to the learned Judicial Magistrate Court No.II, Ramanathapuram, to dispose the case in C.C.No.03 of 2022, within time fixed by this Court.

2. Crl.O.P.(MD).No.6101 of 2022 has been filed to quash the proceedings in C.C.No.03 of 2022 on the file of the Judicial Magistrate No.II, Ramanathapuram.



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3.The Learned Counsel for the Respondent submits that the case has already been ended in compromise, based on which Crl.O.P. (MD).No.6101 of 2022 was allowed and the proceedings were quashed. The Learned Counsel for the Petitioner in Crl.O.P.(MD).No.14512 of 2022 submits that he had already filed Criminal Miscellaneous Petition in Crl.M.P.(MD).No.8054 of 2022 to recall the order and it was allowed. The petitioner herein is the victim in the said occurrence and LW2 in the list of witness as per the Final Report filed by the Investigating Officer. Therefore, he seeks to expedite the trial. Accused Nos.1 and 4 reported dead.

4. The Learned Counsel for the Respondent submits that in the compromise, the Defacto Complainant was paid the amount as damages. It is the contention of the petitioner that he is the original victim and the Defacto Complainant is his Sister. Therefore, he seeks early disposal of the case.

5. In the light of the Recalled Order passed in Crl.M.P.(MD).No. 8054 of 2022 in Crl.O.P.(MD).No.6102 of 2022, the C.C.No.3 of 2022 is restored on the file of the Learned Judicial Magistrate No.II,



Ramanathapuram. The Learned Judicial Magistrate No.II, Ramanathapuram, is directed to dispose of the case, within a reasonable period of three months from the date of receipt of a copy of this order. The Respondents are directed to produce the witnesses promptly. The Learned Magistrate may proceed with the trial by examining the witnesses on day to day basis. The Learned Judicial Magistrate may examine the independent witnesses consecutively on two days and Official witnesses within three or four days, thereby within a period of one week, the entire witnesses can be closed. It is left to the discretion of the learned Judicial Magistrate to examine the witnesses in consultation with the Assistant Public Prosecutor and fix the date to dispose of the case within a period of three months.

6.The Joint Compromise arrived between the Petitioners in Crl.O.P.(MD).No.6102 of 2022 and the Defacto Complainant is not altered. The accused is granted liberty to raise the compromise recorded before this Court during the trial.

7.In the result,

(i) Crl.O.P.(MD).No.14512 of 2022 is Allowed.



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Crl.O.P.(MD)Nos.14512 & 6101 of 2022

(ii) In view of the order passed in Crl.O.P.(MD).No.14512 of 2022, Crl.O.P.(MD).No.6101 of 2022 is closed.

13.10.2022

Index : Yes/No

Internet : Yes/No

TM

To

- 1.The Judicial Magistrate No.II, Ramanathapuram.
- 2.The Inspector of Police, District Crime Branch,
Ramanathapuram, Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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Crl.O.P.(MD)Nos.14512 & 6101 of 2022

SATHI KUMAR SUKUMARA KURUP. J.

TM

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