



Crl.O.P.(MD) No.19162 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.19162 of 2022

Prakash

...Petitioner

vs

1. The Inspector of Police
All Woman Police Station
Usilampatti
Madurai District
(Crime No.11 of 2021)

2. Pandiselvi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Judicial Magistrate No.1, Usilampatti to expedite the trial in C.C.No.45 of 2022 within a time-frame as may be fixed by this Court.

For Petitioner	: Mr.V.Manikandan
For R1	: Mr.R.Sivakumar
	Government Advocate (Crl. side)



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ORDER

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This Criminal Original Petition had been filed to direct the learned District Munsif cum Judicial Magistrate No.I, Usilampatti to expedite the trial in C.C.No.45 of 2022 within a time-frame as may be fixed by this Court.

2. The learned Government Advocate(Crl.Side) would submit that there are 11 witnesses in this case, which was also recorded. Any how before issuing directions, this Court had sought for remarks from the learned District Munsif cum Judicial Magistrate No.I, Usilampatti and adjourned the case to 30.11.2022.

3. Today the learned District Munsif cum Judicial Magistrate No.I, Usilampatti had offered his remarks in letter in D.No.729/2022 dated 16.11.2022. As per the remarks of the learned District Munsif cum Judicial Magistrate No.I, Usilampatti, there are 1194 civil cases, 1339 criminal cases and totally 2533 cases pending. Civil cases are taken up on every Tuesday and Friday. Criminal cases are taken up on every Monday, Wednesday and



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Thursday. There are 456 part heard cases. Among the criminal cases two cases are more than 20 years and 12 cases are more than 15 years and 51 cases are more than five years. The learned Assistant Public Prosecutor attached to the Court of the Additional District and Sessions Court, POCSO Act, Madurai is attending court on two days in a week. Therefore the learned Magistrate had constraints to dispose of the case. In the light of the above, the learned District Munsif cum Judicial Magistrate No.I, Usilampatti has fixed the trial on 08.12.2022 after framing charges on 09.11.2022. He had issued summons to L.W. 1 to L.W.6 and posted for hearing on 08.12.2022.

4. The learned District Munsif cum Judicial Magistrate No.I, Usilampatti is directed to complete the trial as per the time table. He is also directed to stick on to the reported ruling of the Hon'ble Supreme Court in the case of ***[Vinod Kumar -vs- State of Punjab]*** reported in ***2015 (1) MLJ (Crl) 288 (SC)*** regarding deferring cross examination or recall witness leniently. He shall stick on the reported ruling and proceed with the cross examination of the witnesses who are available in the Court and dispose the case as early as possible.



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5. With the above direction, the Criminal Original Petition stands disposed of.

30.11.2022

Internet:Yes./No

Index:Yes/no

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To

1. The Judicial Magistrate No.1, Usilampatti

2. The Inspector of Police
All Woman Police Station
Usilampatti
Madurai District

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



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SATHI KUMAR SUKUMARA KURUP, J.

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