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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Criminal Original Jurisdiction

Wednesday, the Twentieth day of September Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.DHANABAL

CRL OP(MD). No.16598 of 2019

and

CRL OP(MD)NO.8024 of 2021

S.Palanivelu

... Petitioner/9th Accused
in CRL OP(MD). No.16598 of
2019

Sivakumar

...Petitioner/ Accused No.8
in CRL OP(MD)NO.8024 of 2021

Vs

In Both Petitions

1.The Inspector of Police

Civil Supply Crime Investigation Department(CSCID)
Madurai Ref Crime No.153 of 2015

2.S.Ayyappan,

The Regional Manager,
Tamil Nadu Civil Supplies Corporation Limited,
Madurai.

... Respondent/
DefactoComplainant

Prayer in Crl.OP(MD)16598 of 2019 :-

Criiminal Original Petition filed under Section 482 of Criminal Procedure Code,
to call for records in CC.No.44/2016 on the file of the learned Judicial Magistrate
No.III Madurai and quash the charge sheet and consequential all the further
proceedinga against the Petitioner.



Prayer in CrI.OP(MD)No.8024 of 2021 :-

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Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for records in CC.No.44/2016 on the file of the learned Judicial Magistrate No.III Madurai(C.C.IW)and quash the same insofar as this petitioner is concerned as illegal.

ORDER:- These Criminal Original Petition is coming on for orders on this day under the caption "Extension of time for Lower Court" and upon perusing earlier order of this Court dated 03.11.2022 and the requisition letter submitted by the Judicial Magistrate No.III(FAC), Madurai in D.No.150, dated 26.05.2023, seeking further extension of six months time, this court made the following order:

The learned Judicial Magistrate No.III(FAC), Madurai by his letter dated 26.05.2023 has sought three months time to dispose of the case in C.C. No.44 of 2016

2. This Court had already directed the Judicial Magistrate No.III, Madurai to dispose of the case in C.C. No.44 of 2016 within a period of six months from the date of receipt of a copy of this order. The learned Magistrate has stated that



already Non Bailable Warrant is pending against some of the accused persons and they are surrendering one by one and some were recalled and also copies of documents relied by the prosecution were furnished to the accused. At that time some of the accused were absent and therefore the case was posted for framing of charges and after framing of charges the case was posted for examination of witnesses and now P.W. 1 and P.W.2 were examined. In the meantime the post of Judicial Magistrate No.III, is vacant from 22.04.2021 and the learned Judicial Magistrate No.V, Madurai is holding Full Additional Charge of the post and thereby she is unable to dispose the case within the stipulated time.

3. Considering the request made by the learned Judicial Magistrate No.III (FAC), Madurai and also considering the facts and circumstances of the case, time already granted by this Court to dispose the case in C.C. No.44 of 2016 is extended by another six months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar()

// True Copy //

/09/2023

Sub Assistant Registrar(CS)

TO

The Judicial Magistrate (No.III), FAC,
Madurai.



Copy to:

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

ORDER DATED : 20/09/2023

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Extension of Time

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CRL OP(MD). No.16598 of 2019
and
CRL OP(MD)NO.8024 of 2021

Giving direction and etc.
as stated within.

MGJ(29.09.2023) 4P 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17.07.2023