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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.17462 of 2019

and

Crl.M.P. (MD) Nos.10321 and 10322 of 2019

1.Bharathi @ Ravichandran

2.Jothi

... Petitioners/A1 and A2

Vs.

1. The State represented by
The Inspector of Police,
Peraiyur Police Station,
Madurai.

(Crime No.159 of 2013).

... Respondent/Complainant

2.S.Soniya

... Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records pertaining to the proceedings in C.C.No.25 of 2014 pending on the file of the learned District Munsif Cum Judicial Magistrate, Peraiyur and quash the same.

For Petitioners : Mrs.A.Banumathy

For Respondent : Mr.M.Muthu Manikkam,
Government Advocate (Criminal Side),
for R1.

For Respondent : Mr.K.Anna, for R2.

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.25 of 2014 pending on the file of the learned District Munsif Cum Judicial Magistrate, Peraiyur and quash the same.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The first respondent has laid the final report for the offence under Sections 420, 294(b) and 506(ii) IPC against the petitioners herein and the case was taken on file in C.C.No.25 of 2014.

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3. When the matter is taken up for hearing today (i.e., 12.01.2022), the learned Government Advocate (Criminal Side) appearing for the State would submit that six witnesses L.W.1 to L.W.6 have already been examined as P.W.1 to P.W.6 and the defence has already cross examined the P.W.6. At this juncture, the learned counsel for the petitioners would submit that it would suffice, if the learned Magistrate is directed to dispose of the case within the time frame to be fixed by this Court.

4. It is pertinent to mention that the Calender Case is pending from 2014 onwards, for the past 7 years.

5. Considering the above facts and circumstances and also taking note of the limited prayer now sought for by the petitioners, without expressing any view with regard to the merits of the case, the learned District Munsif Cum Judicial Magistrate, Peraiyur, 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.

6. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar

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.



1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PERAIYUR.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3. THE INSPECTOR OF POLICE,
PERAIYUR POLICE STATION,
MADURAI.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRASH HIGH COURT,
MADURAI.

CrI.O.P. (MD) No.17462 of 2019
and
CrI.M.P. (MD) Nos.10321
and 10322 of 2019
12.01.2022

SP//28/01/2022/3P/5C