



Crl.O.P.(MD)No.21576 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.12.2022**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.21576 of 2022

Robinson

... Petitioner

Vs.

State represented by
The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
(Crime No.183 of 2016)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Principal District Court, Kanyakumari at Nagercoil to expedite the trial in Spl.S.C.No.103 of 2021 and complete the trial within a stipulated time.

For Petitioner : Mr.P.T.Ramesh Raja

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the learned Principal District Court, Kanyakumari at Nagercoil to expedite the trial in Spl.S.C.No.103 of 2021 and complete the trial within a stipulated time as fixed by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. It is evident from the records that the respondent police has registered a case in Crime No.183 of 2016 on 01.05.2016 and after completing the investigation, final report has been filed before the concerned jurisdictional Court on 03.06.2016 and the same was taken on file in Spl.S.C.No.103 of 2021 against four persons including the petitioner herein on the file of the Principal District Court, Kanyakumari at Nagercoil.



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4. The learned counsel appearing for the petitioner would submit that the case stands posted on 03.01.2023 for framing of charges.

5. The main contention of the petitioner is that FIR was registered in the year 2016 and charge sheet has also been filed in the year 2016 itself. But the fact remains that, the case was committed to the Sessions Court in the year 2021 and is pending without any progress. The High Court has already issued Circulars to the District Judiciary directing the Courts to give priority for the cases relating to the Senior Citizens, HIV affected persons, Defence personnel, women and children etc., The petitioner without approaching the trial Court has directly approached this Court. In the absence of total pending particulars and the work burden of that particular Court, this Court is not inclined to give any direction to dispose of the case within the specified period of time.

6. However, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The petitioner is at liberty to approach the trial Court and if such requisition for early disposal of the case is made, the learned trial Judge is directed to consider the same, in the light of the circulars issued by this Court.



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7. With the above observation and direction, this Criminal Original

Petition stands disposed of.

06.12.2022

Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Principal District Court,
Kanyakumari at Nagercoil.
- 2.The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
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