



Crl.O.P.(MD)No.21950 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2022

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.21950 of 2022

Malaviya

... Petitioner

Vs.

The State represented by
The Inspector of Police,
E-4, Government Rajaji Hospital Police Station,
Madurai City.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Principal District Court, Madurai to expedite the trial proceeding in connection with S.C.No.34 of 2022 and conclude the same within a time as framed by this Court.

For Petitioner : Mr.F.Deepak

For Respondent : Mr.M.Muthumanikkam
Government Advocate (Crl. Side)



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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, Madurai to expedite the trial in S.C.No.34 of 2022 and conclude the same within a time as framed by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

3. It is evident from the records that the defacto complainant, who happens to be a Grade-I Police Constable, has lodged a complaint before the respondent police and on that basis, FIR came to be registered in Crime No.25 of 2016 on 17.08.2016 and the respondent, after completing the investigation, has filed the final report before the concerned jurisdictional Court on 14.09.2016 and the same was taken on file in S.C.No.34 of 2022 on the file of the Principal District Court, Madurai.



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4. The learned counsel appearing for the petitioner would submit that the case stands posted 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 2022, after six years and that therefore, this case has to be expedited. 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



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case is made, the learned trial Judge is directed to consider the same, in the light of the circulars issued by this Court.

7. With the above observation and direction, this Criminal Original Petition stands disposed of.

13.12.2022

Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Principal District Court,
Madurai.
- 2.The Inspector of Police,
E-4, Government Rajaji Hospital Police Station,
Madurai City.
- 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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