



Crl.O.P.(MD)No.21930 of 2022

WEB COPY

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.21930 of 2022

N.Sounther Lobo

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Thiruchendur Police Station,
Thoothukudi District.
(Crime No.284 of 2019)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate, Thiruchendur, Thoothukudi District to expedite the case in C.C.No.44 of 2020 pending on his file and dispose of the same as expeditiously as possible within the time stipulation as prescribed by this Court.

For Petitioner : Mr.R.Anand

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



Crl.O.P.(MD)No.21930 of 2022

ORDER

WEB COPY

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the learned Judicial Magistrate, Thiruchendur, Thoothukudi District to expedite the case in C.C.No.44 of 2020 and dispose of the same as expeditiously as possible within a time that may be stipulated 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 on the basis of the complaint lodged by the petitioner, FIR came to be registered in Crime No.284 of 2019 and that the respondent, after completing the investigation, has laid the final report before the learned Judicial Magistrate, Thiruchendur on 14.08.2020 and the same was taken on file in C.C.No.44 of 2020.

4. The learned counsel appearing for the petitioner would submit that Non-Bailable Warrant (NBW) was pending against the accused and that they are adopting delaying tactics.



Crl.O.P.(MD)No.21930 of 2022

5.The main contention of the petitioner is that he is a Senior Citizen and that therefore, this case has to be expedited. But the fact remains that, the charge sheet has been filed in the year 2020. 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 learned Judicial Magistrate, Thiruchendur is directed to consider the request of the petitioner, on the ground of Senior Citizenship, for early trial.

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

13.12.2022

Index : Yes / No
Internet : Yes / No
csm



WEB COPY



Crl.O.P.(MD)No.21930 of 2022

K.MURALI SHANKAR,J.

csn

To

- 1.The Judicial Magistrate,
Thiruchendur.
- 2.The Inspector of Police,
Thiruchendur Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.21930 of 2022

Dated: 13.12.2022