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Crl.OP.No.3880 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.3880 of 2023

A. Thiyagarajan

... Petitioner

Vs.

The Inspector of Police,
Mangalampet Police Station,
Virudhachalam.

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate II, Virudhachalam to conclude the trial in C.C.No.49 of 2019 which is pending for trial as expeditiously as possible.

For Petitioner

: Mr.S.Janarathanam

For Respondent

: Mr.S.Santhosh

Government Advocate(Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate II, Virudhachalam to conclude the trial in C.C.No.49 of 2019 which is pending for trial as expeditiously as possible.



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2. The learned counsel for the petitioner submitted that for a crime that had happened in the year 2015, final report was filed in the year 2016 and the case was taken on file only in the year 2019. He further submitted that, till now, respondent police had not served the summons on the 3rd accused and the case is pending without any progress. Therefore, present petition is filed.

3. In response, The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the 3rd accused is not residing in the address given in the final report. The respondent police is taking effective steps for tracing the accused and serving summons.

4. Considered the rival submissions and perused the records. It is claimed by the learned counsel for the petitioner that the final report was filed in the year 2016, this Court finds from the final report that it was filed only on 08.02.2019. However, from 2019 till now, summons have not been served on the accused. Therefore, this Court directs the respondents to serve summons on the 3rd accused, preferably within a period of three months from the date of receipt of copy of the order. The learned Judicial Magistrate No.II, Virudhachalam is directed to expedite the trial and dispose the case as



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expeditiously as possible, preferably within a period of six months from the date of receipt of copy of the order.

5. With the above observations and directions, this Criminal Original Petition is disposed of.

22.02.2023

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order

Sma

To

1. Judicial Magistrate II, Virudhachalam

2. The Inspector of Police,
Mangalampet Police Station,
Virudhachalam.

3. The Public Prosecutor,
High Court of Madras, Chennai.



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G.CHANDRASEKHARAN,J.

Sma

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