



Crl.O.P.(MD)No.147 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.147 of 2023

Chandrabai

... Petitioner

Vs.

K.Thangam

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate, Thirumangalam to dispose the S.T.C.No.515 of 2022 on his file as expeditiously as possible within the time stipulated by this Court.

For Petitioner : Mr.G.Sakthi Rao

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the learned Judicial Magistrate, Thirumangalam to dispose the S.T.C.No.515 of 2022 on his file as expeditiously as possible within the time stipulated by this Court.



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2. Since the petition is filed for early disposal of the case, issuance of notice to the respondent is not necessary.

3. The learned counsel for the petitioner would submit that in 2019, the respondent has borrowed a sum of Rs.1,50,000/- from the petitioner for urgent business needs, agreeing to repay the same along with interest within six months, but, the respondent did not repay the same. Hence, the petitioner asked the respondent about the return of money, but the respondent/accused has not turned up. Thereafter, the petitioner has approached the Court under Section 200 Cr.P.C, but the accused and his counsel are trying to drag the case every time and purposely delaying the payment. He would further submit that the petitioner is a senior citizen and he is having lot of health issue and the case is pending more than 9 months. Hence, the petitioner was constrained to file the present petition.

4.The main contention of the petitioner is that he is a Senior Citizen and that therefore, this case has to be expedited. The High Court has already issued Circulars to the District Judiciary directing the Courts



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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.

5. However, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The learned Judicial Magistrate, Thirumangalam, is directed to consider the request of the petitioner, on the ground of Senior Citizenship, for early trial.

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

05.01.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
das

To

The Judicial Magistrate,
Thirumangalam.

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K.MURALI SHANKAR,J.

das

Order made in
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