



Crl.O.P.(MD)No.628 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.01.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.628 of 2023

Irulappan

... Petitioner

Vs.

The Inspector of Police (Crime),
Mamsapuram Police Station,
Virudhunagar District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Assistant Sessions Court, Srivilliputhur, Virudhunagar District to expedite the trial in S.C.No.129 of 2019 and to fix the time frame to be completed within the stipulated time as framed by this Court in the above criminal original petition.

For Petitioner : Mr.M.Karunanithi

For Respondent : Mr.R.Sivakumar
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 Assistant Sessions Court, Srivilliputhur, Virudhunagar District to expedite the case in S.C.No.129 of 2019 and dispose of the same 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 one Ayyanar, FIR came to be registered in Crime No.129 of 2018 and that the respondent, after completing the investigation, has laid the final report before the learned Judicial Magistrate No.II, Srivilliputhur and the same was committed to the Sessions Court and the same is pending in S.C.No.129 of 2019 on the file of the Assistant Sessions Court, Srivilliputhur, Virudhunagar District against three persons including the petitioner herein.



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4. The main contention of the petitioner is that FIR was registered in the year 2018 and charge sheet has also been filed in the year 2018 itself. But the fact remains that, the case was committed to the Sessions Court in the year 2019 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.

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

11.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Assistant Sessions Court,
Srivilliputhur, Virudhunagar District.
- 2.The Inspector of Police (Crime),
Mamsapuram Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

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