



Crl.O.P.(MD) No.652 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2023

CORAM:

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD) No.652 of 2023

P.Sathyathan,

: Petitioner

Vs

1. The Inspector of Police,
Siruganur Police Station,
Trichy District

2. Rengasamy,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the learned Judicial Magistrate, Lalgudi to dispose of the above C.C.No.5 of 2017 on his file within the time stipulated by this Court.

For Petitioner : Mr.P.Mahendran
For R1 : Mr.R.Sivakumar
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed seeking a direction to the learned Judicial Magistrate, Lalgudi to dispose of the above C.C.No.5 of 2017.



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

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent.

4. It is evident from the records that on the basis of the complaint lodged by the defacto complainant/second respondent, FIR came to be registered in Crime No.185 of 2011 and that the first respondent, after completing the investigation, has laid the final report before the learned Judicial Magistrate, Lalgudi and the same was taken on file in C.C.No.5 of 2017.

5. The learned counsel appearing for the petitioner would submit that the case is pending at trial stage and that they are adopting delaying tactics.

6. The main contention of the petitioner is that FIR was registered in the year 2011. But the fact remains that, the charge sheet has been filed in the year 2017. The High Court has already issued Circulars to the District



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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.

7. 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.

8. 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
lr



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To

1. The Inspector of Police,
Siruganur Police Station,
Trichy District

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

lr

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