



Crl.O.P.(MD)No.1417 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.01.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.1417 of 2023

P.Soundararajan

... Petitioner

Vs.

1.The State represented by
The Inspector of Police,
Madhagupatti Police Station,
Sivagangai District.

2.S.Munisamy

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the Judicial Magistrate No.1, Sivagangai to expedite the trial and complete the same in C.C.No.566 of 2019 within a time frame as may be fixed by this Court.

For Petitioner : Mr.B.Vinothkumar

For R1 : Mr.SS.Madhavan
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 Judicial Magistrate No.1, Sivagangai to expedite the trial and complete the same in C.C.No. 566 of 2019 within a time frame that may be fixed by this Court.

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 (Criminal Side) appearing for the first respondent.

4. It is evident from the records that on the basis of the complaint lodged by the second respondent, FIR came to be registered in Crime No. 270 of 2014 and that the first respondent, after completing the investigation, has laid the final report before the learned Judicial Magistrate No.I, Sivagangai and the same was taken on file in C.C.No. 566 of 2019.



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5. The learned counsel appearing for the petitioner would submit that the case is pending without any progress for the past three years unnecessarily.

6. The main contention of the petitioner is that FIR was registered in the year 2014, but the fact remains that, the charge sheet has been filed in the year 2019. 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.

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.



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8. With the above observation and direction, this Criminal Original

Petition stands disposed of.

25.01.2023

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

To

- 1.The Judicial Magistrate No.1,
Sivagangai.
- 2.The Inspector of Police,
Madhagupatti Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
CrI.O.P.(MD)No.1417 of 2023

Dated: 25.01.2023