



Crl.O.P.(MD)No.1871 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.1871 of 2023

1. Kadavul @ Murugan,

2. Koolan @ Murugan,

: Petitioners

Vs

1. State represented by
The Superintendent of Police,
O/o.Superintendent of Police,
Virudhunagar District.

2. The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District
(Crime No.341 of 2018).

: Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate Court, Rajapalayam, Virudhunagar District to expedite the trial in CC.No.285 of 2018 pending on the file of the learned Judicial Magistrate Court, Rajapalayam, Virudhunagar District in connection with Crime No.341 of 2018, within the time stipulated by this Court.

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For Petitioners : Mr.S.Vanchinathan
For Respondents : Mr.M.Muthumanikkam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the Judicial Magistrate Court, Rajapalayam, Virudhunagar District to expedite the trial in CC.No.285 of 2018 pending on the file of the learned Judicial Magistrate Court, Rajapalayam, Virudhunagar District in connection with Crime No.341 of 2018.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondents.

3. It is evident from the records that on the basis of the complaint lodged by the defacto complainant, FIR came to be registered in Crime No.341 of 2018 and that the seond respondent, after completing the investigation, has laid the final report before the learned Judicial Magistrate Court, Rajapalayam, Virudhunagar District and the same was



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taken on file in C.C.No.285 of 2018.

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4. The learned counsel appearing for the petitioners would submit that the case is pending for examination of the witness and that they are adopting delaying tactics.

5. The main contention of the petitioners is that though the FIR was registered and the charge sheet has been filed in the year 2018, the case 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 petitioners 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.

6. However, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The petitioners are at liberty to approach the trial Court and if such requisition for early disposal of the



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case is made, the learned trial Judge is directed to consider the same, in the light of the circulars issued by this Court.

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

01.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
lr

To
1.The Judicial Magistrate Court,
Rajapalayam, Virudhunagar

1. The Superintendent of Police,
O/o.Superintendent of Police,
Virudhunagar District.

2. The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District

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



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K.MURALI SHANKAR,J.

lr

Order made in
Crl.O.P.(MD)No.1871 of 2023

Dated: 01.02.2023