



Crl.O.P.(MD)No.1894 of 2023

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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.1894 of 2023

Abraham

... Petitioner

Vs.

1.The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.
(Crime No.322 of 2020)

2.Vethasihamani Baskaran

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate Court i.e. Learned Judicial Magistrate Court, Srivaikundam, Thoothukudi District to conduct the trial in C.C.No.198 of 2022 within the time stipulated by this Court.

For Petitioner : Mr.V.Rajiv Rufus

For R1 : Mr.M.Muthumanikkam
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 Court, Srivaikundam, Thoothukudi District to conduct the trial in C.C.No.198 of 2022 within the time stipulated 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 direction issued by the learned Judicial Magistrate, Srivaikundam, the first respondent registered an FIR in Crime No.322 of 2020 on 10.09.2020 against the second respondent and that the first respondent, after completing the investigation, has laid the final report dated 29.09.2020



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before the learned Judicial Magistrate, Srivaikundam and the same was taken on file in C.C.No.198 of 2022.

5. The main contention of the petitioner is that FIR was registered in the year 2020 and charge sheet has also been filed in the year 2020 itself and that the case is pending from 2022 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.

6. 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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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
csm

To

- 1.The Judicial Magistrate,
Srivaikundam.
- 2..The Inspector of Police,
Kurumbur Police Station,
Thoothukudi 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.1894 of 2023

Dated: 01.02.2023