



Crl.O.P.(MD)No.2110 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2110 of 2023

B.Mohammed Riaz

... Petitioner

Vs.

1.R.Kannan

2.K.Umarani

3.K.Nagendran

4.The Sub Inspector of Police,
C5-Karimedu Crime Police Station,
Madurai City District.
(Crime No.281 of 2013)

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate No.V, Madurai to expedite the trial in C.C.No.55 of 2018 within a stipulated period as directed by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For R4 : 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 Judicial Magistrate No.V, Madurai to expedite the trial in C.C.No.55 of 2018 within a stipulated period as directed by this Court.

2. Since the petition is filed for early disposal of the case, issuance of notice to the respondents 1 to 3 is not necessary.

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

4. The learned counsel appearing for the petitioner would submit that on the basis of the complaint given by the petitioner, FIR came to be registered in Crime No.281 of 2013 and that the fourth respondent, after completing the investigation, has laid the final report on 10.04.2018 before the jurisdictional Magistrate and the same was taken on file in C.C.No.55 of 2018 on the file of the learned Judicial Magistrate No.V,



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Madurai. He would further submit that though the alleged offence was occurred in the year 2011, the trial of the case is not completed for more than 12 years.

5. The main contention of the petitioner is that FIR was registered in the year 2013, but the fact remains that, the charge sheet has been filed in the year 2018. 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.

02.02.2023

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

To

- 1.The Judicial Magistrate No.V,
Madurai.
- 2.The Sub Inspector of Police,
C5-Karimedu Crime Police Station,
Madurai City 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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Order made in
CrI.O.P.(MD)No.2110 of 2023

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