



Crl.O.P.(MD)No.2723 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2723 of 2023

Ilaiyazhwar

... Petitioner

Vs.

The State represented by
The Inspector of Police,
District Crime Branch,
Thoothukudi District.
(Crime No.26 of 2022)

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate No.IV, Thoothukudi to expedite the case in C.C.No.900 of 2022 and dispose of the same as expeditiously as possible within a time that may be stipulated by this Court.

For Petitioner : Mr.R.L.Dhilipan Pandian

For Respondent : Mr.SS.Madhavan,
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders, to direct the learned Judicial Magistrate



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No.IV, Thoothukudi, to expedite the case in C.C.No.900 of 2022 and dispose of the same as expeditiously as possible within a time that may be stipulated by this Court.

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

3. It is evident from the records that on the basis of the complaint lodged by the petitioner, FIR came to be registered in Crime No.26 of 2022 and that the respondent, after completing the investigation, has laid the final report before the learned Judicial Magistrate No.IV, Thoothukudi and the same was taken on file in C.C.No.908 of 2022.

4. The learned counsel appearing for the petitioner would submit that the case is pending at the stage of issuance of summons to the accused persons and that they are adopting delaying tactics.

5. The main contention of the petitioner is that he is a Senior Citizen and that therefore, this case has to be expedited. The High Court



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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.

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

10.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
das



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To

- 1.The Judicial Magistrate No.IV,
Thoothukudi.
- 2.The Inspector of Police,
District Crime Branch,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.2723 of 2023

Dated: 10.02.2023