



Crl.O.P.(MD)No.2994 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2994 of 2023

M.Perumal

... Petitioner

Vs.

The State represented by its
The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the IIIrd Additional District Judge, Tirunelveli to conduct speedy trial in S.C.No.143 of 2021 within a stipulated time as fixed by this Court.

For Petitioner : Mr.S.M.Mohan Gandhi

For Respondent : 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 IIIrd Additional District Judge, Tirunelveli to conduct speedy trial in S.C.No.143 of 2021 within a stipulated time as fixed 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 given by one Murugan, FIR came to be registered in Crime No.189 of 2018 on 30.09.2018 and that the respondent, after completing the investigation, has laid the final report on 28.12.2018 before the learned Judicial Magistrate No.IV, Tirunelveli and the same was committed to the Sessions Court and the same is pending in S.C.No.143 of 2021 on the file of the IIIrd Additional District Judge, Tirunelveli against five persons.



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4. The learned counsel appearing for the petitioner would submit that the accused side got several adjournments and making inordinate delay in the trial.

5. The main contention of the petitioner is that FIR was registered and the charge sheet has been filed in the year 2018 itself, but the fact remains that the case is pending from 2021 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.

5. 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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6. With the above observation and direction, this Criminal Original

Petition stands disposed of.

16.02.2023

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

To

- 1.The IIIrd Additional District Judge,
Tirunelveli.
- 2.The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli 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
Crl.O.P.(MD)No.2994 of 2023

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