



Crl.O.P.(MD)No.4004 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.03.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.4004 of 2023

M.Aravinth

... Petitioner/
Defacto
Complainant

Vs.

1.The State of Tamilnadu represented by
The Inspector of Police,
CCB Police Station,
Tiruchirappalli.
(Crime No.7 of 2019)

... 1st Respondent/
Complainant

2.Sachuthananthan

3.P.Susendran

...Respondents 2&3/
Accused

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct to expeditiously dispose of the proceedings in C.C.No.1320 of 2021 pending on the file of the learned Judicial Magistrate No.I, Tiruchirappalli.

For Petitioner : Mr.K.S.Kathiravan

For R1 : Mr.SS.Madhavan
Government Advocate (Crl. Side)



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Crl.O.P.(MD)No.4004 of 2023

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the learned Judicial Magistrate No.I, Tiruchirappalli to expedite the case in C.C.No.1320 of 2021 and dispose of the same as expeditiously as possible within a time that may be stipulated by this Court.

2. Since the petition is filed for early disposal of the case, issuance of notice to the respondents 2 and 3 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 complaint lodged by the petitioner, FIR came to be registered in Crime No.7 of 2019 and that the first respondent, after completing the investigation, has laid the final report before the learned Judicial Magistrate No.IV, Trichy West and the same was taken on file in C.C.No.1320 of 2021.



Crl.O.P.(MD)No.4004 of 2023

5. The learned counsel appearing for the petitioner would submit that the case is pending at the stage of service of summons to the accused persons itself for past more than two years and that they are adopting delaying tactics.

6. The main contention of the petitioner is that FIR was registered in the year 2019 and charge sheet has also been filed in the year 2019 itself and 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.

7. 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



Crl.O.P.(MD)No.4004 of 2023

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

8. Since the case is pending at the state of service of summons, the first respondent is directed to take necessary steps to serve summons to the accused within a period of one month from the date of receipt of a copy of this order.

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

02.03.2023

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



Crl.O.P.(MD)No.4004 of 2023

WEB COPY To

- 1.The Judicial Magistrate No.I,
Tiruchirappalli.
- 2.The Inspector of Police,
CCB Police Station,
Tiruchirappalli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.O.P.(MD)No.4004 of 2023

K.MURALI SHANKAR,J.

csn

Order made in
CrI.O.P.(MD)No.4004 of 2023

Dated: 02.03.2023