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CrI.O.P.(MD)No.9821 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.06.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

CrI.O.P.(MD) No.9821 of 2023

A.Selvaraj

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
CB CID, Nagercoil,
Kanyakumari District.
(In Crime No.261 of 2017)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Sessions Judge Mahila Court, Nagercoil, Kanyakumari to expedite trial and dispose S.C.No.160 of 2019 within the time stipulated by this Court.

For petitioner : Mr.M.R.Sreenivasan

For Respondent : Mr.B.Nambiselvan,
Addl. Public Prosecutor.

ORDER

This Criminal Original Petition has been filed seeking direction to the the learned Sessions Judge Mahila Court, Nagercoil, Kanyakumari to expedite trial and dispose S.C.No.160 of 2019 within the time stipulated



by this Court.

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2.The petitioner is the the father of the deceased. Based on the complaint given by one Mariya Arputham, the case was registered in Crime No.261 of 2017, on the file of Collachel Police Station for the offence punishable under Section 279 & 337 of IPC on 05.08.2017. Thereafter, the case was altered to Sections 279, 337 and 304 Part II of IPC on 08.08.2017, after the death of the victim. Thereafter, it was transferred to the respondent police, which was numbered as Crime No.1 of 2018. After completing the investigation, final report was filed before the concerned Court. Now the trial is pending in S.C.No.160 of 2019, before the Sessions Judge, Mahila Court, Nagercoil, Kanniyakumari District. The grievance of the petitioner is though the crime is of the year 2018 and the case is of the year 2019, so far no progress has been made.

3.The learned Additional Public Prosecutor would submit that now the post of presiding officer of the above said Court is kept vacant and only in charge Officer is holding the post. He would further submit that there are totally 82 witnesses to be examined on the side of the prosecution. It will take atleast eight months.



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4.In view of the submission made by the learned Additional Public Prosecutor, there shall be a direction to the Judicial Officer in charge as well as the respondent police, to complete the trial process in S.C.No.160 of 2019, pending on the file of the learned Sessions Judge, Mahila Court, Nagercoil, Kanniyakumari District, within a period of **eight** months from the date of receipt of a copy of this order.

5.With the above said directions, this criminal original petition stands disposed of.

07.06.2023

Index : Yes/No

Internet : Yes/No

TM

To

1.The Sessions Judge,
Mahila Court,
Nagercoil,
Kanyakumari District.

2.The Inspector of Police,
CB CID, Nagercoil,
Kanyakumari District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

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