



Crl.O.P.(MD) No.14682 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.14682 of 2023

M.Malaisamy

...Petitioner

Vs.

1.State represented by
The Inspector of Police,
Othakadai Police Station,
Madurai.
(Crime No.375 of 2017)

...1st Respondent / Complainant

2.Ganesan

... 2nd Respondent / Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction to the learned Judicial Magistrate, Melur to complete the committal proceedings pending in PRC No.14/2020 and commit the same to the Court of Sessions so as to enable the same to be tried simultaneously with S.C.No.168/2022 pending before the learned Assistant Sessions Judge / Sub-Court, Melur.

For Petitioner : Mr.A.Rahul

For R1 : Mr.SS.Madhavan

Government Advocate (Crl.Side)



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ORDER

This petition is filed under Section 482 of Cr.P.C. seeking for early committal of P.R.C.No.14/2020 pending on the file of the learned Judicial Magistrate, Melur, for conducting of a simultaneous trial in S.C.No.168 of 2022 on the file of the learned Assistant Sessions Judge / Sub-Court, Melur. According to learned counsel for the petitioner P.R.C.No.14 of 2020 and S.C.No.168 of 2022 are case and counter and thereby, in the interest of justice, both cases are required to try simultaneously by the same court, thereby, sought for suitable directions.

2. Learned Government Advocate (Criminal Side) submits that unless P.R.C.No.14 of 2020 is committed to the Sessions Court, orders cannot be passed and this petition is filed prematurely.

3. Considering the submissions made by both sides and on perusal of the records, the learned Judicial Magistrate, Melur, is directed to complete the committal proceedings in P.R.C.No.14/2020 as expeditiously as possible. Since P.R.C.No.14 of 2020 has not been committed to the Sessions Court, the orders as sought for by the petitioner cannot be passed. However, the petitioner is at liberty



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to approach the Court after P.R.C.No.14/2020 is assigned with sessions case number

4. With this observation, this Criminal Original Petition is disposed of.

22.08.2023

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

tsg

To

1.The Judicial Magistrate, Melur.

2.The Assistant Sessions Judge / Sub-Court, Melur.

3. Inspector of Police,
Othakadai Police Station,
Madurai.

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



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DR.D.NAGARJUN. J.

tsg

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