



CrI.O.P.(MD) No.13396 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.07.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

CrI.O.P.(MD) No.13396 of 2023

M.Ramakirushnan

... Petitioner

Vs.

The Inspector of Police,
Elumalai Police Station,
Madurai District.
Crime No.57 of 2020

..Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Judicial Magistrate No.II, Usilampatti to expedite the trial pending in CC.No.445 of 2022 within the time stipulated fixed by this Court.

For Petitioner : Mr.N.Balasubramanian

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (CrI.side)



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ORDER

This petition is filed seeking for a direction to the learned Judicial Magistrate No.II, Usilampatti to expedite the trial pending in CC.No.445 of 2022.

2.It is submitted by the learned counsel for the petitioner that originally on a complaint given by the petitioner, the police failed to register a case and the petitioner has filed a private complaint under Section 200 Cr.P.C., which was referred to the police under Section 156(3) Cr.P.C., and the police have after completion of the investigation filed the final report stating that there is no case against the proposed accused. Later, the petitioner stated to have filed a protest petition, which was accepted and cognizance was taken against 11 accused for the offences punishable under Sections 147, 435 and 506(ii) IPC. It is submitted further that even after taking cognizance, there is no progress in the case and therefore, sought for suitable directions.

3.The learned Government Advocate (Crl.side) on the other hand submits that summons have been served as against some of the accused and the concerned police will execute summons against the accused prior to the next date of hearing.



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4.Considering the submissions made by the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) and on perusal of the records, this Petition is disposed of directing the learned Judicial Magistrate No.II, Usilampatti to dispose of C.C.No.445 of 2022 within a period of 10 months after service of summons against all the accused.

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

26.07.2023

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To

- 1.The Inspector of Police,
Elumalai Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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