



Crl.O.P.(MD) No.14060 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) No.14060 of 2023

and

Crl.M.P.(MD)Nos.11017 and 11018 of 2023

Prabakaran

... Petitioner

Vs.

1.The Inspector of Police,
SV Mangalam Police Station,
Sivagangai District.
(Cr.No.26 of 2019)

2.Sankara Narayanan

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the proceedings of C.C.No.373 of 2019 on the file of the learned District Munsif-cum-Judicial Magistrate, Singampunari, Sivagangai District and to quash the same.

For Petitioner
For R1

:Mr.RM.Arun Swaminathan
:Mr.S.S.Madhavan
Government Advocate (Crl.side)



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ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking quashment of C.C.No.373 of 2019 on the file of the learned District Munsif-cum-Judicial Magistrate, Singampunari, Sivagangai District on the ground that inordinate delay is being occurred in disposing of the case, which allegedly has taken place on 11.02.2019.

2.It is submitted by the learned Government Advocate (Crl.side) that L.W1 in this case is in abroad and thereby the trial could not be proceeded with.

3.Considering the submissions made by the Government Advocate (Crl.side) that the trial could not be proceeded with on account of the fact that L.W1 stated to be in abroad, the learned District Munsif cum Judicial Magistrate, Singampunari is directed to record the evidence of L.W1 through video conferencing by following the guidelines of this Court issued in ROC.No. 29030A/2020/Comp9 dated 01.07.2020 and in case if there is any delay in respect of examining L.W1, the trial Court is directed to consider examination of other witnesses and later to record the evidence of L.W1.



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4.The trial Court is further directed to see that the entire trial is completed as expeditiously as possible, not later than 6 months from the date of receipt of a copy of this order. Considering the submissions of the learned counsel, the presence of the petitioner is dispensed with, however, the learned trial Judge is at liberty to direct the petitioner to be present as and when his presence is required for smooth progression of the trial.

5.With the above direction, this Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

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

09.08.2023

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To

- 1.The District Munsif-cum-Judicial Magistrate,
Singampunari, Sivagangai District
- 2.The Inspector of Police,
SV Mangalam Police Station,
Sivagangai District.

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



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DR.D.NAGARJUN. J.

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