



Crl.O.P.(MD) No.14656 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.14656 of 2023

Dharmaraj

...Petitioner / Accused No.8

Vs.

State represented by
The Inspector of Police,
Musiri Police Station,
Trichy District.
(Crime No.127/2017)

... Respondent / Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue a direction to the learned Judicial Magistrate, Musiri to dispose the calendar case in C.C.No.94 of 2019 as expeditiously as possible within a time frame fixed by this Court.

For Petitioner : Mr.K.Arunraj

For Respondent : 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 a direction to the learned Judicial Magistrate, Musiri, to dispose of C.C.No.94 of 2019 as expeditiously as possible by fixing the specific time frame.

2. It is submitted by learned counsel appearing for the petitioner / A8 that the Police have registered a case in C.C.No.94 of 2019 against the petitioner and other accused for the offences under Sections 147, 341, 294(b), 323 and 506 (i) of I.P.C. As per the proceedings sheet filed before this Court by the learned counsel for the petitioner, on 09.01.2020 itself, the charges have been framed and summons were issued for recording of evidence of L.W.1 to L.W.3. It is submitted that, even as of now, the summons could not be served even though L.W.1 is a practising Advocate in the same Court.

3. Learned Government Advocate (Criminal Side) on the other hand submits that the respondent Police will serve the summons on L.W.1 to L.W.3 as directed. It is surprising that the learned Magistrate has not taken the steps for getting summons served to L.W.1 to L.W.3 for the last 3 ½ years. As per “B”



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Diary from February 2020, this case is being adjourned for time to time for service of summons to L.W.1 to L.W.3, but no reasons have been assigned as to why summons are not served.

4. Considering the submissions made by the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) and on going through the records, this petition is disposed of, directing the learned Judicial Magistrate, Musiri, to dispose of this case as expeditiously as possible not later than four months from the date of receipt of a copy of this order, by taking coercive steps, in case, if summons are not being served.

22.08.2023

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

tsg

To

1.The Judicial Magistrate, Musiri.

2.The Inspector of Police,
Musiri Police Station,
Trichy District.



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DR.D.NAGARJUN. J.

tsg

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

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