



CrI.O.P.(MD) No.16072 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD)No.16072 of 2023

S. Thangham

... Petitioner

Vs.

The State Rep by
The Sub Inspector of Police,
Souththamaraikulam Police Station,
Kanniyakumari District.

...Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Learned Judicial Magistrate No. III, Nagercoil, to dispose of the case in C.C.No. 315 of 2022 within a stipulated time that may be fixed by this Court.

For Petitioner :Mr.Balaji Rajaram. V

For Respondent :Mr.Thanga Aravindh. B
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 for a direction to the learned Judicial Magistrate No. III, Nagercoil, to dispose of the case in C.C.No. 315 of 2022.

2.It is submitted by the learned counsel for the petitioner that though the case has been registered on the complaint of the petitioner for the offences punishable under Sections 294(b), 324 and 506(ii) IPC, the trial in this case could not be proceeded with. It is submitted further that the petitioner is a senior citizen and therefore, sought for expeditious disposal of CC.No.315 of 2022.

3.The learned Government Advocate (Crl.side) submits that the police are prepared to cooperate with whatever directions given by the trial Court. It is submitted further that the respondent police would serve summons on the accused as directed before the due date ie., 30.10.2023. The same is recorded.

4.On perusal of the copy of the paper proceedings in this case, it is clear that summons have been issued to the accused and they are not being served.



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Once summons are not being served so far, any specific time for disposal of criminal case cannot be fixed.

5.Since summons in this case have not been served on the accused, this Petition is disposed of directing the respondent police to serve summons on the accused by 30.10.2023 and on appearance of the accused, the learned Judicial Magistrate No.III, Nagercoil is directed to expedite the disposal of CC.No.315 of 2022 as quickly as possible.

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

14.09.2023

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To

1.The Sub Inspector of Police,
Souththamaraikulam Police Station,
Kanniyakumari 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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