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Crl.O.P.(MD)No.19793 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.11.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **K.K.RAMAKRISHNAN**

Crl.O.P.(MD)No.19793 of 2023

Thangavelu

... Petitioner/Defacto Complainant

Vs.

The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.

In Crime No.1227 of 2020. ... Respondent/Complaint

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Judicial Magistrate, Thirumangalam to commit the case in P.R.C.No.4 of 2022, under Sections 341, 114, 148, 149, 302 and 109 of IPC r/w 120 of IPC to the Principal District and Sessions Court, Madurai, within the time stipulated by this Court.

For petitioner : Mr.K.Anna

For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking direction to the learned Judicial Magistrate, Thirumangalam to commit the case in P.R.C.No.4 of



2022, under Sections 341, 114, 148, 149, 302 and 109 of IPC r/w 120 of IPC to the Principal District and Sessions Court, Madurai, within the time stipulated by this Court.

2.The petitioner is the defacto complainant in Crime No.1227 of 2020, on the file of the respondent police. The petitioner made a complaint against one Ramesh Babu and others with the allegations that all the accused persons committed murder of brother of the petitioner. Hence, the Investigating Agency completed the investigation and filed the final report before the learned Judicial Magistrate, Thirumangalam, and the same was taken cognizance in P.R.C.No.4 of 2022 and pending on his file from 2022 onwards. It is the further case of the petitioner that in the above said circumstances, the above said accused persons threatened the petitioner. Hence, another complaint was made by the petitioner and the same was registered in Crime No.111 of 2023 for the offences punishable under Sections 341, 195(a) and 506(i) of IPC. In that circumstances, the petitioner approached this Court to direct the learned Judicial Magistrate, Thirumangalam, to commit the case within the time stipulated by this Court.



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3.The learned Government Advocate (Crl. Side) would submit that in the above said case, summons have been sent to the accused persons and the case is posted for appearance of accused persons on 08.11.2023.

4.Considering the subsequent development and also the case is pending without committal process from 2022 onwards, this Court is inclined to issue direction to the learned Judicial Magistrate.

5.Accordingly, the learned Judicial Magistrate, Thirumangalam, is hereby directed to complete the committal process in P.R.C.No.4 of 2022, pending on his file, in accordance with law, within a period of **two months** from the date of receipt of a copy of this order. It is open to the learned Judicial Magistrate, to complete the committal proceedings on 08.11.2023 itself, if all the accused persons are present on that day or otherwise, within a period of two months as stated earlier. Registry is directed to send the order copy to the learned Judicial Magistrate, Thirumangalam, through the fax, today itself.

6.With the above said directions, this criminal original petition stands disposed of.

06.11.2023



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Index : Yes/No
Internet : Yes/No
TM

Note: Issue order copy on 06.11.2023.

Note: Registry is directed to send the order copy to the learned Judicial Magistrate, Thirumangalam, through the fax, today itself.

To

- 1.The Judicial Magistrate, Thirumangalam.
- 2.The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To

- 1.The Registrar (Judicial)
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN. J.

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