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Crl.OP.No.846 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.846 of 2023

B.Ganesh

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
V-7 Nolambur Police Station,
Chennai District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to direct the learned Judicial Magistrate, Ambattur, to dispose of calendar Case in C.C.No.447 of 2017 within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Saranraj

For Respondents : Mr.K.M.D.Muhilan

Government Advocate (Crl.side)

ORDER

The petition filed to expedite the trial in C.C.No.447 of 2017 pending on the file of the learned Judicial Magistrate, Ambattur.



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2. The learned counsel appearing for the petitioner who is the defacto complainant submits that though the prosecution rely upon only seven witnesses, there is inordinate delay in marshalling the witnesses.

3. The learned Government Advocate (Crl. side) submits that prosecution is relying upon seven witnesses and the case is posted to 16.10.2024 for examination of prosecution witnesses. He would submit that the Investigation Officer will take all necessary steps to marshal the witnesses and complete the trial within a reasonable time.

4. Taking note of the fact that the case is pending more than seven years and so far no witness has been examined, though the prosecution relies only upon seven witnesses, it is necessary to direct the trial Court to examine the witnesses on a day to day basis and not to adjourn the case for longer dates.

5. The Investigation Officer is directed to marshal the witnesses on all hearing dates and complete examination of witnesses before 30th November 2024. The accused shall cross-examine the prosecution



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witnesses on the same day of their chief examination. Thereafter, the learned Judicial Magistrate shall proceed with Section 313 Cr.P.C and examine the witness for defence, if any, and render judgment preferably by the end of 31st December 2024.

6. With the above directions, this Criminal Original Petition is disposed of.

07.08.2024

dsa

Index : Yes/No

Internet : Yes/No

To

1.The Judicial Magistrate,
Ambattur.

2.The Inspector of Police,
V-7 Nolambur Police Station,
Chennai District.



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Dr.G.JAYACHANDRAN,J.

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