



CrI.O.P.No.9575 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2024

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CrI.O.P.No.9575 of 2024

Shankar

.. Petitioner

Vs.

1. The Inspector of Police,
All Women Police Station,
Hosur.

2. Girija

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure Code, seeking a direction for speedy disposal of C.C.No.459/2016 pending on the file of the Hon'ble Judicial Magistrate II Court, Fast Track, Hosur.

For Petitioner : M/s.S.Swaminathan

For respondents : Mr.K.M.D.Muhilan,
Government Advocate (CrI.Side) for R1



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ORDER

This Criminal Original Petition has been filed seeking a direction to the Judicial Magistrate II Court, Fast Track, Hosur to conclude the trial pending in C.C.No.459/2016 within the time that may be stipulated by this Court.

2. It is the case of the prosecution that due to a matrimonial dispute between the petitioner and the 2nd respondent who is the wife of the petitioner, the 2nd respondent had lodged a complaint against the petitioner before the 1st respondent police for which the 1st respondent registered a case against the petitioner in Crime No.24/2012, AWPS-Hosur for the alleged offence u/s 294(b), 323, 498 (a) r/w 506(a) of IPC. The 1st respondent after investigation filed a charge sheet before the Judicial Magistrate Fast Track Court, Hosur in C.C.No.459/2016 wherein the petitioner is arrayed as the first accused. Though the charge sheet has been filed in the year 2016, however, till date, the trial has not been concluded. Hence, the present petition.



3. Learned counsel for the petitioner submitted that inspite of the charge sheet having been filed in the year 2016, till date, the trial has not been concluded due to non-cooperation of the 2nd respondent. Hence, this Court may issue a direction to the trial court to conclude the trial pending on the file of Judicial Magistrate Fast Track Court, Hosur in C.C.No.459/2016 within the time that may be stipulated by this Court by complying the provisions prescribed under section 309 of Cr.P.C.

4. Learned Government Advocate appearing for the 1st Respondent submitted that the trial will be concluded within the time that may be stipulated by this Court by strictly adhering the provisions prescribed under Section 309 of Cr.P.C.

5. In view of the limited relief sought for by the petitioner, this Court without expressing any opinion on the merits of the case, is inclined to issue a direction to the trial court to conclude the trial in C.C.No.459/2016 by strictly complying with the provisions prescribed under section 309 of Cr.P.C within a period of six months from the date of



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receipt of a copy of this order and the prosecution and accused are directed
to extend their cooperation for expeditious conclusion of the trial.

6. Accordingly, this Criminal Original Petition stands disposed of
with the above direction.

22.04.2024

NHS

To

The Inspector of Police,
All Women Police Station,
Hosur.



WEB COPY



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M.DHANDAPANI, J.

NHS

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