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CrI.O.P.No.14188 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.14188 of 2024

S.P.Moorthy

... Petitioner

Vs.

The Inspector of Police,
District Crime Branch,
Thiruvallur,
Thiruvallur District

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the Judicial Magistrate-II, Thiruvallur to dispose the C.C.No.573 of 2023 within a time frame fixed.

For Petitioner : Mr.T.Karunakaran

For Respondent : Mr.S.Udayakumar
Government Advocate (CrI.Side)

ORDER

A complaint registered by the 1st respondent police in Crime No.18 of 2011. On completion of investigation, filed final report and it was taken on file by the Judicial Magistrate-II, Thiruvallur in C.C.No.36 of 2021. Thereafter, for administrative reason, the case was transferred to Special Court for Land Grabbing and renumbered as C.C.No.34 of 2022.



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Later, again transferred to the Judicial Magistrate-II, Thiruvallur and numbered as C.C.No.573 of 2023. The learned Judicial Magistrate-II, Thiruvallur has issued summons for appearance of the accused person on 31.07.2024. The present petition is filed to expedite the trial and complete it within time frame by the Court.

2. The learned counsel appearing for the petitioner submitted that even after 10 years the respondent police did not file final report after the intervention of the High Court. There was no progress in the trial and hence as a victim he approached the High Court for expeditious trial. This Court in CrI.O.P.No.17589 of 2021 directed the Judicial Magistrate-II, to proceed with the trial and complete it within a period of six months from the date of receipt of a copy of the order. This order came to be passed on 01.10.2021. However, there was no progress in the trial, but only transfer the case to Special Court for Land Grabbing and re transferred back to Judicial Magistrate-II, Thiruvallur stating that the time limit fixed earlier has lapsed and the victim/petitioner suffers from serious health issues, unless the trial is completed as expeditiously as possible, the accused persons will not be punished for their crime and he get acquittal on technical reason. The medical records of the petitioner is also enclosed



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along with the petition besides the order copy of this Court in the earlier petitions.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police states that the case is posted to 31.07.2024, necessary steps will be taken to marshal their witnesses and complete the trial within a reasonable time.

4. Considering the facts and the grievance of the petitioner herein, this Criminal Original Petition is disposed of with the following directions;

(i)The respondent police shall ensure the appearance of the accused persons on 31.07.2024

(ii)The trial Court on appearance of the accused persons shall proceed with the examination of witnesses

(iii)The 1st respondent shall marshal their witnesses on the dates of hearing without fail.

(iv) The Judicial Magistrate-II,



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Thiruvallur is directed to complete the trial on
or before 31.12.2024.

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Index : Yes/No

Neutral Citation : Yes/No

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To

1.The Judicial Magistrate-II, Thiruvallur

2.The Inspector of Police,
District Crime Branch,
Thiruvallur,
Thiruvallur District

3.The Public Prosecutor,
High Court of Madras,
Chennai.

Dr.G.JAYACHANDRAN,J.

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