



CrI.O.P.No.22105 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.22105 of 2024

Sharmatha

... Petitioner

Vs.

The Inspector of Police
Hasthampatty Police Station
Salem City
Crime No.233 of 2019

... Respondent

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. to issue a direction to the learned Judicial Magistrate (Additional Mahila Court), Salem to complete the trial in C.C.No.131 of 2021 expeditiously within a stipulated time frame.

For Petitioner : Mr.S.Ranjithkumaran
for Mr.R.Prabakar

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to issue a direction to the learned Judicial Magistrate (Additional Mahila Court), Salem to complete the trial in C.C.No.131 of 2021 expeditiously within a stipulated time frame.

2. The case of the petitioner is that, on 03.10.2019, she was brutally attacked by her husband and when she was admitted in the hospital, a case in Crime No.233 of 2019 was registered by the respondent police against her husband. After completion of investigation, the respondent police filed the charge sheet and the same was taken on file in C.C.No.131 of 2021 on the file of the Judicial Magistrate (Additional Mahila Court), Salem for the under Sections 294(b), 323 and 506(i) of IPC and Section 4 of T.N. Prohibition of Harassment of Women Act, 2022. Thereafter, the accused is evading the due process of trial and that there is no progress in the trial. Hence, the present petition is filed.



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3. The learned Additional Public Prosecutor appearing for the

respondent police submitted that the sole accused is absconding and therefore, surety action is pending before the Magistrate.

4. Considering the facts and circumstances of the case, the learned Magistrate is directed to proceed with the further in accordance with law and dispose of the case in C.C.No.131 of 2021 in the manner known to law, within a period of three months from the date of receipt of a copy of this order.

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

26.11.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The Judicial Magistrate (Additional Mahila Court),
Salem
2. The Inspector of Police
Hasthampatty Police Station
Salem City



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P.VELMURUGAN. J.

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