



WEB COPY



Crl.O.P.No.27320 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2024

CORAM :

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.27320 of 2024

Nelson Arockiaraj

... Petitioner

Versus

1.The State rep. by
The Inspector of Police,
Sooramangalam Police Station,
Salem City.
(Crime No.656 of 2019)

2.Tamilarasi

... Respondents

PRAYER : Criminal Original Petition filed under Sections 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023, praying to issue a direction to dispose the
C.C.No.287 of 2023 on the file of Chief Judicial Magistrate Court, Salem
within time frame manner.

For Petitioner : Mr.K.Sudhakar

For Respondent-1 : Mr.S.Udayakumar
Government Advocate (Crl. Side)



Crl.O.P.No.27320 of 2024

ORDER

WEB COPY

The petitioner/de-facto complainant filed the above petition seeking a direction to complete the trial in C.C.No.287 of 2023 on the file of Chief Judicial Magistrate Court, Salem within a stipulated period.

2.The contention of the learned counsel for petitioner is that it is the case of job racketing. The offence took place in the year 2019, with a considerable delay, charge sheet filed and the same was taken on file on 17.03.2023. Thereafter summons issued for appearance of the accused. The second respondent/accused appeared on 10.07.2023 and charges framed against her on 02.08.2023. Thereafter, for the past five hearings the case has been adjourned for the production of witnesses. The trial Court is also giving adjournments liberally.



Crl.O.P.No.27320 of 2024

WEB COPY

3.The learned Government Advocate (Crl. Side) submitted that in this case there are totally 12 witnesses and steps were taken to secure the presence of the witnesses. Since the witnesses were not available, they could not be produced immediately. Further he undertakes that there are only 12 witnesses, the case itself can be completed within a period of four months.

4.In view of the above undertaking, the trial Court is directed to complete the trial within a period of four months from the date of receipt of a copy of this order. The respondent police without further delay to produce the witnesses and ensure the witnesses are cross examined on the same day. If any delay or dilatory tactics adopted by the accused, coercive action can be taken against the accused in this case.

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

30.10.2024



Crl.O.P.No.27320 of 2024

Index : Yes / No

Internet : Yes/No

Speaking / Non-speaking order

Neutral citation : Yes/No

rsi

To

1.The Chief Judicial Magistrate Court,
Salem.

2.The Inspector of Police,
Sooramangalam Police Station,
Salem City.

3.The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.27320 of 2024

M.NIRMAL KUMAR, J.

rsi

Crl.O.P.No.27320 of 2024

30.10.2024