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CrI.O.P.No.28535 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.28535 of 2024

A.Shanawas

... Petitioner

Vs.

State of Tamil Nadu
Rep.by The Inspector of Police,
District Crime Branch,
Tiruvarur District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C./ 528 of BNSS, 2023, to direct the learned Judicial Magistrate, Thiruthuraipoondi to dispose of the case in C.C.No.220 of 2023 within the time frame fixed by this Court.

For Petitioner : Mr.S.Kadarkarai
For Respondent : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to direct the learned Judicial Magistrate, Thiruthuraipoondi to dispose of the case in C.C.No.220 of 2023, within the time frame that may be fixed by this Court.

2. Learned counsel for the petitioner submitted that the petitioner



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lodge a complaint against the accused viz., Mohamed Faruk and FIR was registered in Crime No.3 of 2022. On completion of investigation, the respondent-Police filed the final report before the learned Judicial Magistrate, Thiruthuraipoondi, which was taken on file in C.C.No.220 of 2023. He further submitted that the learned Magistrate took cognizance of the final report and issued summons to the accused and the petitioner was examined as P.W.1 on 15.10.2024 and the case was posted for continuation of chief examination of P.W.1 on 29.10.2024. However, as the accused was continuously absent for several hearings, the case was adjourned to 19.11.2024 for continuation of chief examination of P.W.1. Hence, the present petition.

3. Learned Additional Public Prosecutor appearing for the respondent submitted that since the accused was absent for several hearings, the chief examination of P.W.1 could not be completed and the case is posted for continuation of chief examination of P.W.1 on 19.11.2024.

4. Heard the learned counsel for the learned counsel on either side and perused the materials available on record.



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5. It is seen from the records that the case is of the year 2023, the petitioner was examined as P.W.1 and chief examination of P.W.1 was conducted in part and now the case is posted for continuation of chief examination of P.W.1 on 19.11.2024. Once the trial has commenced, the examination of witnesses shall be completed on a day-to-day basis. Therefore, no direction need to be given in this regard. Accordingly, this Criminal Original Petition is dismissed.

14.11.2024

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

1. The Judicial Magistrate,
Thiruthuraipoondi.
2. The Inspector of Police,
District Crime Branch,
Tiruvallur District.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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