



Crl.O.P.(MD).No.460 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.02.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

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1.Mathiyazhahuraja

2.Kulanthaivel Kumar

3.Jagatheeswaran

... Petitioners/Accused Nos.1 to 3

Vs.

The Inspector of Police,
Seithur Police Station,
Virudhunagar District.
(Crime No.51 of 2021)

...Respondents /Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to expedite the trial in S.C.No.164 of 2021 on the file of the Court of the Additional District Court, Srivilliputtur, Virudhunagar District within the stipulated time.

For Petitioner : Mr.M.Jothi Basu

For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor



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ORDER

When the case came up for hearing on 11.01.2024, the Petitioners herein who are arrayed as Accused No.1 to 3 in S.C.No.164 of 2021 on the file of the learned Additional District Judge, Srivilliputtur, Virudhunagar District sought early disposal of the case. Therefore, remarks were called from the learned Additional District Judge, Srivilliputtur, Virudhunagar District.

2. Remarks were called for and the case was adjourned to 01.02.2024. Subsequently, the case came up for hearing only today that is on 13.02.2024.

3. As per the remarks offered by the learned Additional District Judge, Srivilliputtur, Virudhunagar District in D.No.65 dated 30.01.2024, there are 137 Sessions cases pending, out of which 59 cases are more than five years old case. The learned Additional District Judge had disposed of 15 ten year old cases and 25 five year old cases. Therefore, the trial of the old cases were given priority. Due to the pendency of the old cases, the case for which charges were framed on 04.11.2022 would not be taken up for trial. Since remarks sought for from the learned Additional District Judge, she had issued trial proceedings in D.No.787 dated 28.12.2023 fixing the trial on 23.01.2024. Accordingly, on



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23.01.2024, list witnesses 1 to 4 were examined as P.W.1 to P.W.4 and the case is posted to 14.02.2024 for further evidence. The Petitioners are directed to co-operate with the trial Court for early disposal of the case. The learned Trial Judge is directed that if the Accused absconds during trial, the bail granted to the Accused, even if it is granted by High Court, may be cancelled and they may be detained in Prison, as per the reported ruling of the Hon'ble Supreme Court in the case of ***P.K.Shaji Vs State of Kerala***, reported in ***AIR 2005 SCW 5560*** till the case is disposed of.

4. Since the trial had commenced, this Criminal Original Petition is closed.

13.02.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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- 1.The Inspector of Police,
Seithur Police Station,
Virudhunagar District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

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