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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Criminal Original Jurisdiction

Wednesday, the Fourth day of December

Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CRL OP(MD).No.908 of 2024

S.Sarangapani

Petitioner/ Accused

Vs

The State represented by
The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
(Cr.No.271/2013)

Respondent/ Complainant

Prayer :-

This petition filed under section 482 of Cr.P.C., to direct the Learned Judicial Magistrate Court No.I Kovilpatti Thoothukudi District to complete the trial in CC No.189/2022, within the time stipulated by this Court.

ORDER:- This Petition coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.Sanjai Gandhi, Government Advocate for the respondent, this Court made the following order:

The petitioner/sole accused in C.C. No.189 of 2022 had filed a Crl.O.P(MD) No.908 of 2024 seeking direction to complete the case within the stipulated time has filed a petition before this Court and this Court finding that crime number is of the year 2013 and charge sheet has been filed with a delay of nine years and finding that out of 15 witnesses six witnesses were examined and remaining witnesses to be produced on 24.01.2024 this Court vide order dated



22.01.2024 had directed the trial Court to complete the trial within a period of three months from the date of order. Thereafter the trial Court since unable to complete the trial, vide D.No.1089 of 2024 dated 28.06.2024 sought time of two months to dispose the case and this Court vide order 24.07.2024 has granted further two months time to dispose the case.

2. Now the learned Judicial Magistrate No.I, Kovilpatti vide D.No.1819 of 2024 dated 14.11.2024 submitted the case has been taken on file in C.C. No. 189 of 2022 for the offences under Sections 409 and 420 of IPC on 01.07.2022. The accused appeared before the Court on 08.09.2022 and copies furnished and on 22.09.2024 charges were framed . On the side of the prosecution P.W.1 to P.W. 10 were examined in chief and cross. Thereafter the case was posted for examination of L.W.16 /Murugesan then Inspector of Police, Kovilpatti East Police Station. Witness summon was issued, however he did not appear. Thereafter witness warrant against the said witness was issued and the same is pending for four months without execution. Hence sought for two more months time to dispose of the case.

3. It is petty that the then Inspector of Police/Murugesan, Kovilpatti East Police Station has failed to appear before the trial Court despite issuance of summons. Thereafter for non obedience of the summons warrant was issued.

4. Hence this Court directs the Superintendent of Police, Thoothukudi District ensure to execute the warrant pending against the then Inspector of Police,



Kovilpatti East Police Station/Murugesan and also produce him before the learned Judicial Magistrate No.I, Kovilpatti without further delay and report compliance before this Court on 18.12.2024.

5. Post the case before this Court on 18.12.2024 under the caption 'For reporting compliance'.

Sd/-

Assistant Registrar ()

// True Copy //

05/12/2024

Sub Assistant Registrar
(CS-1/II/III/IV)

TO

1. The Superintendent of Police,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

Copy to:

1. The Judicial Magistrate No.I,
Kovilpatti.
2. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.



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ORDER DATED : 04/12/2024

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ORDER

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CRL OP(MD). No.908 of 2024

Giving direction and etc.
as stated within.

BV (05/12/2024) 4P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.