



CRL OP(MD). No.9559 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 01.07.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.9559 of 2024

P.Malathi

... Petitioner

versus

1. The State rep. by
The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell,
Ramanathapuram District.

2. The State rep. by
The Inspector of Police,
Anti Land Grabbing Special Cell,
Ramanathapuram District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Judicial Magistrate No.II (Land Grabbing Cases), Ramanathapuram to conduct expedite trial in C.C.No.473 of 2023.

For Petitioner : Mr.G.Mutharasu

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)



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ORDER

The petitioner has filed this petition seeking a direction to the learned Judicial Magistrate No.II (Land Grabbing Cases), Ramanathapuram, to expedite the trial in C.C.No.473 of 2023.

2. The learned counsel appearing for the petitioner submits that the case was registered in the year 2014 and the charge sheet was filed in the year 2015. However, the case is pending without any progress. He further submits that the cases is now posted on 02.07.2024 for the appearance of the parties.

3. The learned Government Advocate (Crl. Side) submits that the case was originally taken on file by the Judicial Magistrate Court, Paramakudi, in C.C.No.198 of 2018. Thereafter, it was transferred to the Land Grabbing Court and re-numbered as C.C.No.29 of 2022. After the abolition of the Land Grabbing Court, it has now been transferred to the Judicial Magistrate No.II, Ramanathapuram and re-numbered as C.C.No. 473 of 2023 and the same is still pending.



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4. This Court considered the rival submissions made.

5. Though the final report was filed and the same was taken on file in the year 2018, the case has not been proceeded for the past six years due to some technical reasons. The confidence of the litigants on the Institution lies only on the speedy disposal of the cases. It is not proper on the part of Court to keep this case, which is of the year 2014, pending without any progress.

6. It is not known as to how the witnesses will come forward to depose the evidence after 10 years. The material evidence would have been shattered by this time. Therefore, priority has to be given by the respondent Police as well as the Court to conclude the proceedings as expeditiously as possible.

7. Accordingly, this Criminal Original Petition is disposed of with a direction to the learned Judicial Magistrate No.II, (Land Grabbing Cases), Ramanathapuram, to conduct the trial proceedings in C.C.No.473



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of 2023 without any further delay and dispose of the case as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order. The respondents Police are directed to co-operate with the trial Court for speedy disposal of the case as expeditiously as possible. The respondent Police are also directed to produce the witnesses without any delay. In the event, if the accused persons are evading the trial proceedings, the respondents police are expected to take appropriate action immediately as and when Non-Bailable Warrants are issued.

01.07.2024

Index : Yes / No.

Internet : Yes / No.

NCC : Yes / No.

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1. The Judicial Magistrate Court No.II
(Land Grabbing Cases),
Ramanathapuram.
2. The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell,
Ramanathapuram District.
3. The Inspector of Police,
Anti Land Grabbing Special Cell,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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Order made in
CrI.O.P.(MD)No.9559 of 2024

01.07.2024