



Crl.O.P.(MD)No.12961 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.12961 of 2024

Malaviya

... Petitioner

Vs.

State rep.by the Inspector of Police,
E2, Mathichiyam Police Station,
Madurai City.
Crime No.815 of 2016.

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Sessions Judge Mahila Court, Madurai to expedite the trial and dispose of the case in S.C.No.35 of 2022 on its file and within time as fixed by this Court.

For Petitioner : Mr.M.Suresh Babu, Senior Counsel,
for M/s.Subash Law Office

For Respondent : Mr.E.Antony Sahaya Prabhar,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed, invoking Section 528 of BNSS., seeking orders, to direct the learned Sessions Judge



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Mahila Court, Madurai to expedite the trial and dispose of the case in S.C.No.35 of 2022 on its file and within time as fixed by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. It is evident from the records that on the basis of the complaint lodged by the complainant, FIR came to be registered in Crime No.815 of 2016 and that the respondent, after completing the investigation, has laid the final report before the learned Sessions Judge, Mahila Court, Madurai and the same was taken on file in S.C.No.35 of 2022.

4. The main contention of the petitioner is that though the FIR has been registered in the year 2016, the case was taken on file in the year 2022 and there is no progress.

5. The High Court has already issued Circulars to the District Judiciary directing the Courts to give priority for the cases relating to the Senior Citizens, HIV affected persons, Defence personnel, women and children etc., The petitioner without approaching the trial Court has



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directly approached this Court. In the absence of total pending particulars and the work burden of that particular Court, this Court is not inclined to give any direction to dispose of the case within the specified period of time.

6. However, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The petitioner is at liberty to approach the trial Court and if such requisition for early disposal of the case is made, the learned trial Judge is directed to consider the same, in the light of the circulars issued by this Court.

7. With the above observation and direction, this Criminal Original Petition stands disposed of.

08.08.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
das



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K.MURALI SHANKAR,J.

das

To

- 1.The Sessions Judge Mahila Court,
Madurai.
- 2.The Inspector of Police,
E2, Mathichiyam Police Station,
Madurai City.

Order made in
Crl.O.P.(MD)No.12961 of 2024

Dated: 08.08.2024