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CrI.O.P.(MD)No.13211 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD)No.13211 of 2024

G.Kaleeswari

: Petitioner

Vs.

1.State rep.by the Inspector of Police,
Sivagiri Police Station,
Sivagiri, Tenkasi District.

2.Gurusamy

3.Velsamy

4.Mahendran

5.Gurulakshmi

6.Baby

7.Matharasi

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Judicial Magistrate, Sivagiri Tenkasi District to dispose of the case in Cr.M.P.No.2045 of 2024 within the time stipulated by this Court.

For Petitioner

: Mr.K.Prabhu



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For Respondents : Mr.E.Antony Sahaya Prabhu,
Additional Public Prosecutor, for R1.

ORDER

This Criminal Original Petition has been filed, invoking Section 528 of BNSS., seeking orders, to direct the learned Judicial Magistrate, Sivagiri, Tenkasi District to dispose of the case in Cr.M.P.No.2045 of 2024 within the time stipulated by this Court.

2. When the matter is taken up for hearing today, the learned counsel for the petitioner would submit that since the complaint given to the Police was closed, the petitioner has filed a petition under Section 156(3) Cr.P.C., before the learned Judicial Magistrate, Sivagiri and the learned Magistrate, without proper enquiry, has been adjourning the matter again and again. He would further submit that since the private respondents are attempting to take forcible possession, he was constrained to file the above petition seeking further action.

3.The learned Additional Public Prosecutor appearing for the State would submit that regarding the police complaint, CSR came to be registered and after enquiry, the same was ordered to be closed as civil dispute.



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4. Considering the above and taking note of the fact that the proceeding in Cr.M.P.No.2045 of 2024 is pending for the past two months without any progress, the learned Judicial Magistrate, Sivagiri, is directed to proceed with the enquiry and pass orders within a period of fifteen days from the date of receipt of copy of this order.

5. With the above direction, this Criminal Original Petition stands disposed of.

16.08.2024

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

To

1. The Judicial Magistrate, Sivagiri.
2. The Inspector of Police,
Sivagiri Police Station,
Sivagiri, Tenkasi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

DAS

Order made in
Crl.O.P.(MD)No.13211 of 2024

Dated: 16.08.2024