



Crl.O.P.(MD)No.13480 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.13480 of 2024

Kannan

... Petitioner

Vs.

The Inspector of Police,
District Crime Branch,
Kanyakumari District.
Crime No.40 of 2021.

... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Judicial Magistrate No.I, Nagercoil to proceed the case expeditiously in C.C.No.876 of 2023 on the file of the learned Judicial Magistrate No.I, Nagercoil and dispose of the case within a time frame fixed by this Court.

For Petitioner : Mr.R.Karunanidhi

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

ORDER

This Criminal Original Petition has been filed, invoking Section 528 of BNSS, seeking orders to direct the learned Judicial Magistrate



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No.I, Nagercoil to proceed the case expeditiously in C.C.No.876 of 2023 on the file of the learned Judicial Magistrate No.I, Nagercoil and dispose of the case within a time frame 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.40 of 2021 and that the respondent, after completing the investigation, has laid the final report before the learned Judicial Magistrate No.I, Nagercoil and the same was taken on file in C.C.No.876 of 2023.

4. The main contention of the petitioner is that FIR was registered in the year 2021. But the fact remains that, the charge sheet has been filed in the year 2023. 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 directly approached this Court. In the absence of total pending



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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.

5. 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.

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

16.08.2024

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



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K.MURALI SHANKAR,J.

das

To

- 1.The Judicial Magistrate No.I,
Nagercoil.
- 2.The Inspector of Police,
District Crime Branch,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.13480 of 2024

Dated: 16.08.2024