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Crl.O.P.(MD)No.13984 of 2024.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.13984 of 2024

1.Selvi

2.Maniraj

3.Anish

... Petitioners

Vs.

1.The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Colachal Police Station,
Kanyakumari District.
Crime No.460 of 2012.

3.Maria Thankam

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S., to direct the learned Sub Judge, Eraniel to expedite the trial of the cases in S.C.No.342 of 2023 within a stipulated period as fixed by this Court.

For Petitioners : Mr.S.Jayaumar

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor,
for R1 & R2.



ORDER

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This Criminal Original Petition has been filed, invoking Section 528 of B.N.S.S., seeking orders, to direct the learned Sub Judge, Eraniel to expedite the trial of the case in S.C.No.342 of 2023 within a stipulated period as fixed by this Court.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the State.

3. It is evident from the records that on the basis of the complaint lodged by the third respondent, FIR came to be registered in Crime No.460 of 2012 and that the second respondent, after completing the investigation, has laid the final report and the case is pending on the file of the Assistant Sessions Court, Eraniel in S.C.No.342 of 2023.

4. The main contention of the petitioner is that S.C.No.342 of 2023 is pending for evidence for the past 8 months and that there is no progress and hence, they were constrained to file the present petition.



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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 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 petitioners are 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.

27.08.2024

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

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Crl.O.P.(MD)No.13984 of 2024 ,

K.MURALI SHANKAR,J.

das

To

- 1.The Sub Judge, Eraniel.
- 2.The Superintendent of Police,
Kanyakumari District.
- 3.The Inspector of Police,
Colachal Police Station,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.13984 of 2024

Dated: 27.08.2024