



Crl.O.P.(MD)No.14778 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14778 of 2024

R.Tamilarasi

: Petitioner/Defacto
complainant

Vs.

The Inspector of Police,
Nachiyarkovil Police Station,
Kumbakonam, Thanajvur District.
Crime No.60 of 2022.

: Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct learned Additional District Judge(FTC) Kumbakonam to proceed the case expeditiously in S.C.No.216 of 2022 on the file of the Additional District Court (FTC) Kumbakonam and dispose of the same within a time as may be fixed by this Court.

For Petitioner : Mr.G.Perumal

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



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ORDER

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This Criminal Original Petition has been filed, invoking Section 528 of BNSS., seeking orders, to direct the learned Additional District Judge(FTC) Kumbakonam, to expedite the trial and dispose of the case in S.C.No.216 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.60 of 2022 and that the respondent, after completing the investigation, has laid the final report and the case is pending before the learned Additional District Judge (FTC) Kumbakonam in S.C.No.216 of 2022.

4. The main contention of the petitioner is that S.C.No.216 of 2022 is pending for evidence for the past two years and that there is no progress and hence, the petitioner was 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 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.

04.09.2024

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



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To

- 1.The Additional District Judge(FTC)
Kumbakonam.
- 2.The Inspector of Police,
Nachiyarkovil Police Station,
Kumbakonam, Thanajvur 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.14778 of 2024

Dated: 04.09.2024