



Crl.O.P.(MD)No.14923 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2024

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THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14923 of 2024

Rabila

... Petitioner

Vs.

1.The State of Tamilnadu rep by
The Inspector of Police,
Vallioor Police Station,
Tirunelveli District.
(Crime No.73 of 2021)

2.M.Anthony Pitchi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the Judicial Magistrate Court, Vallioor, Tirunelveli District to complete the trial in C.C.No.338 of 2022 in Crime No.73 of 2021 dated 21.02.2021 on the file of the respondent police station within the time stipulated by this Court.

For Petitioner : Mr.M.Ananth Kumar

For R1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the learned Judicial Magistrate Court, Vallioor, Tirunelveli District to expedite the case in C.C.No.338 of 2022 and dispose of the same as expeditiously as possible within a time that may be stipulated by this Court.

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

3. It is evident from the records that on the basis of the complaint given by the petitioner, FIR came to be registered in Crime No.72 of 2021 and that the first respondent, after completing the investigation, has laid the final report before the learned Judicial Magistrate, Valliyoar against three persons and the same was taken on file in C.C.No.338 of 2022.

4.The learned counsel appearing for the petitioner would submit that due to pendency of this case, the petitioner could not proceed to



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abroad for her treatment and that case is pending without any progress.

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5. The main contention of the petitioner is that the occurrence was happened in the year 2021. But the fact remains that, the case was taken on file in the year 2022. 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.



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7. With the above observation and direction, this Criminal Original

Petition stands disposed of.

06.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Judicial Magistrate,
Valliyoor, Tirunelveli.
- 2.The Inspector of Police,
Vallioor Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.14923 of 2024

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