



Crl.O.P.(MD)No.15107 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2024

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THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.15107 of 2024

S.Mervin Babu

... Petitioner

Vs.

The Inspector of Police,
VK Puram Police Station,
Tirunelveli District.
(Crime No.229 of 2020)

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Judicial Magistrate Court, Ambasamudram, Tirunelveli District to dispose the case in C.C.No.82 of 2022 within the time stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan

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

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the learned Judicial Magistrate,



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Ambasamudram, Tirunelveli District to expedite the case in C.C.No.82 of 2022 and dispose of the same as expeditiously as possible within a time that may be stipulated by this Court.

2. 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.229 of 2020 and that the respondent, after completing the investigation, has laid the final report against four persons and the same was taken on file in C.C.No.82 of 2022 and is pending on the file of the Judicial Magistrate, Ambasamudram.

3.The learned counsel appearing for the petitioner would submit that the accused persons are wantonly dragging on the proceedings by being absent for the hearing and that the case is pending for the past two years without any progress.

4. The main contention of the petitioner is that the occurrence was happened in the year 2020. 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



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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.

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.

09.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

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To

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

Order made in
Crl.O.P.(MD)No.15107 of 2024

Dated: 09.09.2024