



CrI.O.P.(MD)No.15191 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 10.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD)No.15191 of 2024

A.Sethupathi

... Petitioner

Vs.

State rep.by the Inspector of Police,
Thallakulam Police Station,
Madurai.
Crime No.1379 of 2018.

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to direct the learned Judicial Magistrate No.II, Madurai to expedite the trial
in C.C.No.496 of 2022 within time frame as stipulated by this Court.

For Petitioner : Mr.S.Sabbanikarburajothi

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 No.II,



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Madurai to expedite the trial in C.C.No.496 of 2022 within time frame as stipulated 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 petitioner, FIR came to be registered in Crime No.1379 of 2018 and that the respondent, after completing the investigation, has filed the final report before the learned Judicial Magistrate No.II, Madurai and the same was taken on file in C.C.No.496 of 2022.

4. The main contention of the petitioner is that though charge sheet was taken on file in the year 2022, it is still pending without framing of charges against the accused and hence hence, the petitioner was constrained to file the present petition.

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



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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.

10.09.2024

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



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To

- 1.The Judicial Magistrate No.II,
Madurai.
- 2.The Inspector of Police,
Thallakulam Police Station,
Madurai.
- 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.15191 of 2024

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