



Crl.O.P.(MD)No.19414 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.19414 of 2024

Hemalatha

.. Petitioner

Vs.

The State of Tamil Nadu
Rep by the Inspector of Police,
District Crime Branch (DCB),
Dindigul District.
Crime No. 45/2014

.. Respondent

PRAYER : Criminal Original Petition filed under Section 528 BNSS, to direct the learned Judicial Magistrate No.II, Dindigul, to complete the trial and dispose the case in C.C.No.292 of 2023 within the period that may be stipulated by this Court.

For Petitioner : Mr.R.Ramanujam
for M/s.Gandhi Associates

For Respondent : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.II, Dindigul, to complete the trial and dispose the case in C.C.No.292 of 2023 within the period that may be stipulated by this Court.



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2. The petitioner / defacto complainant had lodged a complaint against the accused. On her complaint, a case in Crime No.45 of 2014 registered for the offence under Sections 120(b), 406, 420, 465 and 468 I.P.C. On conclusion of investigation, charge sheet has been filed on 22.05.2023. Thereafter, the same was taken on file against six persons (A1 to A6) in C.C.No.292 of 2023.

3. The contention of the petitioner is that the case is of the year 2014, it took almost 9 years for the respondent police to conclude the investigation and filed a charge sheet and thereafter, now the case has been periodically adjourned, without any progress for more than a year. Hence, the petitioner filed this Petition.

4. The learned Additional Public Prosecutor submitted that it is a case of forgery. Hence, the documents have to be collected and there is a dispute among Trust members. The accused persons were erstwhile trustees and the defacto complainant is the present trustee. It is a rival dispute among the erstwhile and present trustees. In this case, A4 died and the same was informed to the trial Court on 13.09.2023 and thereafter, the case was adjourned to 11.10.2023 and on that date, the death certificate



Crl.O.P.(MD)No.19414 of 2024

had been produced and the same has been recorded and now, it is informed that A5 also died and the case has been adjourned periodically for producing death certificate of A5 and the case against A1 to A3 and A6 can be proceeded. In this case, there are 8 witnesses and within a stipulated time, the trial itself can be completed.

5. Considering the submission and material records, this Court directs the trial Court to give priority to the case in C.C.No.292 of 2023, not giving long adjournment, to complete the trial within a period of six months from the date of receipt of copy of this order.

6. With the above direction, this Criminal Original Petition is disposed of.

11.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
LS



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Crl.O.P.(MD)No.19414 of 2024

M.NIRMAL KUMAR,J.

LS

To

- 1.The Judicial Magistrate No.II,
Dindigul.
2. The Inspector of Police,
District Crime Branch (DCB),
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.19414 of 2024

11.11.2024