



Crl.O.P.(MD)No.17541 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.17541 of 2024

Sahayarani

... Petitioner

Vs.

1.State of Tamilnadu

The Assistant Superintendent of Police,
Thoothukudi,
Thoothukudi District.

2.The Inspector of Police,

South Police Station,
Thoothukudi,
Thoothukudi District.

(Crime No.69 of 2024)

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to expedite the trial made in S.C.No.25 of 2024 on the file of the Special Court for Trial of Cases under SC/ST (PoA) Act, Thoothukudi, Thoothukudi District.

For Petitioner : Mr.S.Muthu Malai Raja

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



Crl.O.P.(MD)No.17541 of 2024

WEB COPY

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (PoA) Act, Thoothukudi, Thoothukudi District, to expedite the case in S.C.No.25 of 2024 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 respondents.

3. It is evident from the records that on the basis of the complaint given by the petitioner with regard to murder of her son, FIR came to be registered in Crime No.69 of 2024 and that after completing the investigation, final report came to be filed before the PCR Court, Thoothukudi and after committal, the same was taken on file in S.C.No. 25 of 2024.



Crl.O.P.(MD)No.17541 of 2024

WEB COPY

4. The learned counsel appearing for the petitioner would submit that the first accused's mother and wife have been continuously threatening the petitioner and preventing her to depose the evidence against the first accused before the trial Court, that all the accused wanted to settle the issue amicably by way of coercive or threatening method and that in order to depose the evidence before the trial Court without fear, this Court fix the time frame for early disposal of the case.

5. The fact remains that, the case was taken on file in the year 2024. 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,



Crl.O.P.(MD)No.17541 of 2024

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.

17.10.2024

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

To

- 1.The Sessions Judge,
Special Court for Trial of Cases under SC/ST (PoA) Act,
Thoothukudi, Thoothukudi District.
- 2.The Assistant Superintendent of Police,
Thoothukudi,
Thoothukudi District.
- 3.The Inspector of Police,
South Police Station,
Thoothukudi,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.17541 of 2024



WEB COPY



Crl.O.P.(MD)No.17541 of 2024

K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.17541 of 2024

Dated: 17.10.2024