



Crl.O.P.(MD)No.17004 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.17004 of 2024

R.Sivakumar

... Petitioner

Vs.

State represented by
The Inspector of Police,
Central Crime Branch,
Madurai District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Judicial Magistrate Court No.1, Madurai to expeditiously complete the trial in C.C.No.81 of 2015 on the file of the learned Judicial Magistrate Court No.1, Madurai in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.Dr.R.Alagumani

For Respondent : 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 No.1, Madurai to expedite the case in C.C.No.81 of 2015 and dispose of the same as expeditiously as possible within a time that may be stipulated by this Court.

2. The learned counsel appearing for the petitioner would submit that the petitioner has earlier filed a petition in Crl.O.P.(MD)No.20567 of 2023 to expedite the trial in C.C.No.81 of 2015 pending on the file of the Judicial Magistrate No.1, Madurai and this Court, considering the submissions made on either side, has passed an order dated 17.11.2023 directing the learned Judicial Magistrate No.1, Madurai to dispose of the case within a period of five months from the date of receipt of a copy of that order. He would further submit that despite the order of this Court, trial has not been commenced and is adjourned again and again and he has produced the B-Diary extract, wherein, it is evident that discharge petitions are shown to be pending. It is very shocking to notice the way in which the case was adjourned for the past more than five years.



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3. Since the case is pending from 2015, the learned Judicial Magistrate No.1, Madurai is directed to conduct enquiry and dispose of the discharge petitions within a period of one week from the date of receipt of a copy of this order, if not disposed of already and in case, if the discharge petitions are disposed of, subject to the result of the discharge petitions, to proceed with the trial and dispose of the case in C.C.No.81 of 2015 within a period of three months from the date of disposal of the discharge petitions or from the date of receipt of a copy of this order, if discharge petitions were already disposed of.

4. With the above directions, this Criminal Original Petition stands disposed of.

04.10.2024

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

To

- 1.The Judicial Magistrate No.1,
Madurai.
- 2.The Inspector of Police,
Central Crime Branch,
Madurai 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.17004 of 2024

Dated: 04.10.2024