



Crl.O.P.(MD)No.18027 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.18027 of 2024

M.Palanisami

... Petitioner

Vs.

State of Tamil Nadu, represented by its
The Inspector of Police,
District Crime Branch,
Thanjavur District.
(Crime No.12 of 2020)

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Judicial Magistrate No.1, Thanjavur to expedite the trial in C.C.No.240 of 2023 pending on the file of the learned Judicial Magistrate No.1, Thanjavur within the time stipulated by this Court.

For Petitioner : Mr.G.Sethu Surendhar

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 Judicial Magistrate No.1, Thanjavur to expedite the case in C.C.No.240 of 2023 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 respondent.

3. 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.10 of 2020 on 24.07.2020 and after completing the investigation, final report came to be filed for the offences under Sections 120B, 465, 468, 471, 419, 420 and 34 IPC and the case was taken on file in C.C.No.240 of 2023 and is pending on the file of the Judicial Magistrate No.1, Thanjavur.

4. The learned counsel appearing for the petitioner would submit



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that in this case totally 11 witnesses, but so far no witness was examined, that the second respondent was reported dead and that the case is pending in service stage.

5. The main contention of the petitioner is that the occurrence was happened in the year 2020. But the fact remains that, the charge sheet has been filed in the year 2022 and the same was taken on file in 2023. 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, 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



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the light of the circulars issued by this Court.

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7. With the above observation and direction, this Criminal Original

Petition stands disposed of.

21.10.2024

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

To

- 1.The Judicial Magistrate No.1,
Thanjavur.
- 2.The Inspector of Police,
District Crime Branch,
Thanjavur 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
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