



Crl.O.P.(MD)No.18014 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.18014 of 2024

Murugan

... Petitioner

Vs.

1.State of Tamil Nadu represented by
The Deputy Superintendent of Police,
Thiruchuli Sub Division,
Virudhunagar District.

2.The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No.218 of 2022)

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the Special Court for trial of cases registered under SC/ST (PoA) Act, Srivilliputtur to expedite the trial and dispose the case in Special S.C.No.6 of 2023 on its file, as time frame may be fixed by this Court.

For Petitioner : Mr.L.Prabhu

For Respondents : 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 Special Court for trial of cases registered under SC/ST (PoA) Act, Srivilliputtur to expedite the case in Spl.S.C.No.6 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 respondents.

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.218 of 2022 on 16.10.2022 and after completing the investigation, final report came to be filed for the offences under Sections 120B, 294(b), 447 and 427 IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015 and the case was taken on file in Spl.S.C.No.6 of 2023 and is pending on the file of the Special Court for trial of cases registered under SC/ST (PoA) Act, Srivilliputtur.



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4. The learned counsel appearing for the petitioner would submit that the case is pending for trial without any progress.

5. The main contention of the petitioner is that the occurrence was happened in the year 2022. But the fact remains that, the charge sheet has been filed in the year 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 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 Special Court for trial of cases registered under SC/ST (PoA) Act,
Srivilliputtur.
- 2.The Deputy Superintendent of Police,
Thiruchuli Sub Division,
Virudhunagar District.
- 3.The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
- 4.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.18014 of 2024

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