



Crl.O.P.(MD)No.18464 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.18464 of 2024

V.Mani Poosari

... Petitioner

Vs.

1.The State rep by
Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.
(Crime No.56 of 2023)

2.Kasimanikandan
Inspector,
HR&CE Department,
Athur Taluk,
Dindigul District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Judicial Magistrate, Nilakkottai to expedite and complete the trial in C.C.No.521 of 2023 within stipulated time framed by this Court.

For Petitioner : Mr.V.R.Shanmuganathan

For R1 : 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, Nilakkottai to expedite the case in C.C.No.521 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 first respondent.

3. It is evident from the records that on the basis of the complaint given by the second respondent, FIR came to be registered in Crime No. 56 of 2023 on 28.03.2023 and after completing the investigation, final report came to be filed for the offence under Section 379 IPC against the petitioner and the case was taken on file in C.C.No.521 of 2023 and is pending on the file of the Judicial Magistrate, Nilakkottai.



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4. The learned counsel appearing for the petitioner would submit that the petitioner is ready to show his bonafide but the prosecution side is only dragging the case and that the petitioner is a senior citizen.

5. The main contention of the petitioner is that he is a Senior Citizen and that therefore, this case has to be expedited. 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 learned Judicial Magistrate, Nilakkottai is directed to consider the request of the petitioner, on the ground of Senior Citizenship, for early trial.



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

Petition stands disposed of.

25.10.2024

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

To

- 1.The Judicial Magistrate,
Nilakkottai.
- 2.The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul 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.18464 of 2024

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