

Crl.O.P.(MD)No.831 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.831 of 2025

Thirukalyani

.. Petitioner

Vs.

1. The Inspector of Police
Thattarmadam Police Station
Thoothkudi District

2. Pandiyarajan
Block Development Officer
Sathankulam, Thoothkudi District

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the Judicial Magistrate, Sathankulam to expedite the trial in C.C. No.276 of 2023 and complete the trial within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Ponkarthikeyan
For Respondent : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Judicial Magistrate, Sathankulam to expedite the trial in C.C. No.276 of 2023 and complete the trial within a stipulated time that may be fixed by this Court.



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2. The contention of the petitioner is that the petitioner was a former President of panchayat and his tenure was over on 05.01.2025. Now the elections are to be announced and the pendency of the above case will disqualify the petitioner from contesting in the forthcoming elections, hence he has filed the above petition.

3. The learned Additional Public Prosecutor submitted that the First Information Report has been registered on the complaint on the Block Development Officer for misappropriation and cheating committed by the petitioner on the public fund. On the completion of investigation charge sheet has been filed in the year 2023 and summons were issued to the petitioner for his appearance on 19.07.2023 to 21.09.2024. The petitioner was evading service and finally he appeared on 12.12.2024 and the case stand posted to 12.02.2025 for framing of charges. The petitioner has already delayed the progress of trial and now seeking speedy disposal of the case. Further in this case there are totally 75 witnesses and there are voluminous documents to be marked. Further the accused persons have cheated several victims who have to be examined and it would take considerable time.



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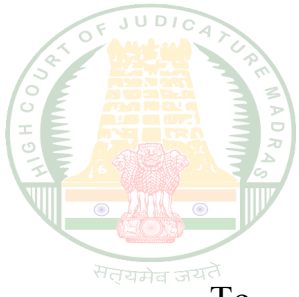
4. At this juncture, the learned counsel appearing for the petitioner submitted that except for five witnesses other witnesses are local witnesses and hence the case can be completed within the stipulated time.

5. In view of the same, there shall be a direction to the learned Judicial Magistrate, Sathankulam to give preference the trial in C.C. No. 276 of 2023 and complete the trial as expeditiously as possible. Further the petitioner is also directed to give an undertaking before the trial Court that he will cross examine the witnesses on the same day when they are examined in chief and he will not be a reason for any delay.

6. With the above direction this Criminal Original Petition stands disposed of.

21.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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1. The Judicial Magistrate, Sathankulam
2. The Inspector of Police
Thattarmadam Police Station
Thoothkudi District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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