



Crl.O.P(MD)No.1968 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.1968 of 2025

N.Selvaraj

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by
The Inspector of Police,
District Crime Branch,
Anti-Land Grabbing Special Cell,
Theni.
(In Crime No.20/2014)

2.Meenakshisundaram

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S Act, 2023 to direct the learned Judicial Magistrate Court, Uthamapalayam, Theni District to expedite the trial in C.C.No.338 of 2023, within the time frame fixed by this Court and pass such further or other orders as this Court.

For Petitioner	: Mr.S.Vikram
For R-1	: Mr.R.M.Anbunithi
	Additional Public Prosecutor



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ORDER

This Criminal Original Petition is filed by the petitioner to direct the learned Judicial Magistrate Court, Uthamapalayam, Theni District to expedite the trial in C.C.No.338 of 2023, within the time frame fixed by this Court.

2. The learned Counsel appearing for the petitioner would submit that the petitioner has been arrayed as sixth accused in the said case. Based on the complaint given by the second respondent / de facto complainant, the first respondent police have registered the case in Crime No.20 of 2014 for the offences under Section 120(B), 420, 465, 468 and 471 of IPC. Thereafter, charge sheet was filed and the case has been taken on file in C.C.No.4 of 2018 before the Judicial Magistrate, Special Court for Land Grabbing Cases and thereafter, the case has been transferred to the Judicial Magistrate Court, Uthamapalayam, Theni District and renumbered as C.C.No.338 of 2023 and the same is pending for more than 10 years without any progress. The petitioner is a senior citizen and he is attending the Court regularly. Therefore, the petitioner seeks direction to complete the trial within the stipulated time.

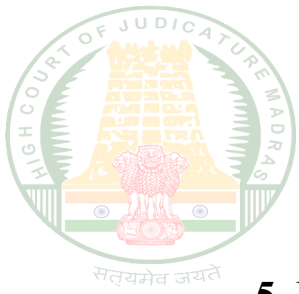


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3. The learned Additional Public Prosecutor appearing for the official respondent would submit that based on the complaint given by the de facto complainant, FIR has been registered in Crime No.20 of 2014 for the offences under Section 120(B), 420, 465, 468 and 471 of IPC. Thereafter, the case was pending before the Special Court in respect of Land Grabbing Cases and since the case is pending before the Hon'ble Supreme Court, trial has not been conducted and now after the orders passed by the Hon'ble Supreme Court, the case has been transferred to the jurisdictional Magistrate Court, Uthamapalayam, Theni District and renumbered as C.C.No.338 of 2023 and now posted for examination of witnesses and already P.W.1 chief was recorded and posted for cross-examination of P.W.1. Therefore, they will cooperate for speedy disposal by producing the witnesses without any delay.

4. Heard the learned Counsels on either side and perused the materials available on record.

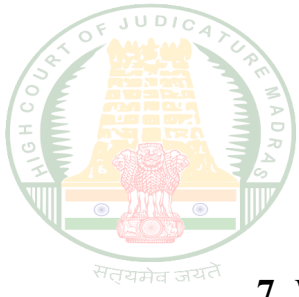


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5. It is an admitted fact that FIR has been registered in the year 2014 and now the case is pending in C.C.No.338 of 2023 on the file of the learned Judicial Magistrate Court, Uthamapalayam, Theni District and for the past 10 years, the case is pending without any progress. The petitioner is also a senior citizen and now filed a petition for speedy disposal.

6. Since the case is pending for more than 10 years without any progress, it is appropriate to consider the request of the petitioner. It is well settled law that this Court cannot direct the Trial Court to complete the trial within a time as a routine manner in all cases. In appropriate cases, this Court can issue directions considering the nature and circumstances of the case. This is a fit case to issue directions to complete the trial within the stipulated period because of pendency of the case for 10 years. Therefore, this Court is inclined to allow this petition and the learned Judicial Magistrate, Uthamapalayam, Theni District is directed to expedite the trial proceedings of C.C.No.328 of 2023 without giving long adjournment and to dispose the case as early as possible, preferably, within a period of four (4) months from the date of receipt of a copy of this order.



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7. With the above said observation, this Criminal Original Petition stands allowed.

04.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Inspector of Police,
District Crime Branch,
Anti-Land Grabbing Special Cell,
Theni.
- 2.The Judicial Magistrate Court,
Uthamapalayam,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

BTR

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