



Crl.O.P.(MD)No.4818 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :17.03.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

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Vairavan

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by the Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli.

Crime No. 689 of 2018.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to dispose the C.C No.547 of 2021 pending before Judicial Magistrate No.I, Tirunelveli within a time frame as fixed by this Court.

For Petitioner : Mr.A.Balakrishnan

For R-1 & R2 : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner to direct the learned Judicial Magistrate No.I, Tirunelveli to dispose the C.C



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No. 547 of 2021, within a time frame fixed by this Court.

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2. According to the petitioner, he is the defacto complaint in this case and based on his complaint, a case in Crime No.689 of 2018 has been registered for the offences under Sections 147, 148, 294(b), 323, 324, 448, 506(2), 379 and 427 of IPC. Thereafter, the second respondent has filed the final report before the Trial Court and the Trial Court also taken cognizance in C.C.No547 of 2021 and the same is pending for more than 4 years without completing the trial.

3. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondents would submit that, totally 18 accused in this case and against all the accused, Non Bailable Warrant (NBW) is pending. Therefore, they are unable to proceed the case and thereby, the Trial Court is not in a position to dispose of the case. However, the learned Additional Public Prosecutor has assured to execute the NBW pending against the accused within a short time and will cooperate for speedy disposal of the case.

4. Since the Non Bailable Warrant is pending against the accused and the case is also pending from the year 2018, this Court directs the second



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respondent to execute the Non Bailable Warrant within a period of one month from the date of this order and the first respondent has to monitor the progress of the case. Thereafter, the Trial Court has to take appropriate steps to dispose of the case as early as possible without giving any long adjournments beyond fifteen [15] days.

5. With the above said observations and directions, this Criminal Original Petition is allowed.

17.03.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

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P. DHANABAL, J.

Mac

To

1. The Judicial Magistrate No.I, Tirunelveli
2. The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
3. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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