



CrIOP(MD)No.10531 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrIOP(MD)No.10531 of 2025

A.Sivaji Ganesan

... Petitioner

Vs.

The State of Tamil Nadu represented by
The Inspector of Police,
Othakadai Police Station,
Madurai District 625 107.
[Crime No.357 of 2007]

...Respondent

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to direct the learned Judicial Magistrate, Melur, Madurai District to conduct a joint trial in CC.No.63 of 2022 and CC.No.211 of 2023 and direct the Judicial Magistrate, Melur to dispose both cases within a time limit as fixed by this Court.

For Petitioner : Mr.S.Balaji

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl. Side)



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ORDER

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The petitioner / defacto complainant in CC.No.63 of 2022 and CC.No.211 of 2023 has moved this petition seeking a direction to the learned Judicial Magistrate, Melur to conduct a joint trial in both cases.

2.The learned counsel for the petitioner submits that the petitioner and the accused in both cases are one and the same. Therefore, if a joint trial is conducted it would be convenient for both parties to appear before the Court as well as for the court to record common evidence and dispose of the cases. He has relied on Section 243 of BNSS.

3.Heard the learned Counsel on either side.

4.The learned Counsel for the petitioner by referring the proceedings in CC.Nos.63 of 2022 submits that the occurrence had taken place in the year 2007, for which the final report was filed in the year 2022. Though the final report has been filed and taken on file in CC.No.63 of 2022, not even charges have been framed so far. Therefore, the learned Counsel seeks a direction to the trial Court to conduct a joint



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trial in the aforesaid two cases. The petitioner is not entitled for the relief as per Section 242 of BNSS. Therefore, this court is not inclined to grant the relief as sought for by the petitioner. Accordingly this petition is dismissed.

5.Since it is reported that for the occurrence took place in the year 2007, the final report was filed in the year 2022 and charges have not been framed so far, the learned Judicial Magistrate, Melur shall give some priority to the case in CC.No.63 of 2022 and dispose of it as expeditiously as possible.

25.06.2025

DSK

To

- 1.The Judicial Magistrate,
Melur.
- 2.The Inspector of Police,
Othakadai Police Station,
Madurai District 625 107.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

DSK

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