



CrI.O.P.(MD)No.12556 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.12556 of 2025

B.Vishwasri

... Petitioner

Vs.

The Tamilnadu State Rep by
The Inspector of Police,
AWPS Thallakulam,
Madurai City.
(in FIR No.8/2018)

... Respondent

Prayer : Criminal Original Petition filed under Section 528 BNSS, to direct the learned Judicial Magistrate Additional Mahila Court, Madurai, to dispose the calendar case in C.C.No.1053 of 2019 pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai, within a time frame that may be fixed by this Court.

For Petitioner

: Mr.C.M.Arumugam

For Respondent

: Mr.A.S.Abulkalaam Azad
Government Advocate (crl.side)

ORDER

The petitioner/defacto complainant in C.C.No.1053 of 2019 has

filed this petition seeking a direction to the learned Judicial Magistrate,

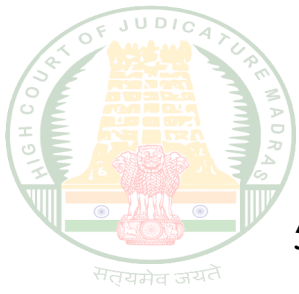


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Additional Mahila Court, Madurai, to conclude the trial in C.C.No.1053 of 2019 Within a stipulated time.

2.The learned counsel for the petitioner submits that the case was registered in the year 2018 and the final report was filed in the year 2019. However, there is no progress in the trial.

3.The learned Government Advocate (crl.side) appearing for the respondent submits that the accused Nos.7 to 9 in C.C.No.1053 of 2019 had filed a petition in Crl.O.P(MD) No.5032 of 2020 seeking to quash the proceeding pending against them in C.C.No.1053 of 2019. The same was entertained by this Court and by an order dated 23.03.2020, this Court granted an order of interim stay of all further proceedings. Thereafter, the petition filed by the accused Nos.7 to 9 was taken up for final hearing on 05.11.2024 and this Court, on considering the fact that the complaint lodged as against the accused Nos.7 to 9 was not proper, has allowed the application and quashed the proceedings as against the accused Nos.7 to 9. In view of the interim stay granted in Crl.O.P(MD) No.5032 of 2020, the trial Court could not proceed with the case, even after filing of the final report in the year 2019.



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5.This Court has considered the rival submissions made on either side and perused the materials available on record.

6.It appears that several persons were added as accused in the proceedings in C.C.No.1053 of 2019 and accused Nos.7 to 9, who have been falsely roped in the final report, filed a petition in Crl.O.P(MD) No.5032 of 2020. This Court has entertained the petition filed by the accused Nos.7 to 9 and also granted an order of interim stay on 23.03.2020. The petition was finally disposed of only on 05.11.2024. Therefore, there is no fault on the part of the trial Court in not proceeding with the trial.

7.In view of the above, this Court is not inclined to issue any direction in this matter. Accordingly, this Criminal Original Petition is dismissed.

25.07.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
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B.PUGALENDHI,J

cp

To

- 1.The Judicial Magistrate,
Additional Mahila Court,
Madurai.
- 2.The Inspector of Police,
AWPS, Thallakulam,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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