



CRL OP(MD). No.19430 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 05.11.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.(MD). No.19430 of 2025

Lawrence

... Petitioner

Vs.

1. State of Tamilnadu Rep by
Inspector of Police,
Thuckalay Prohibition Enforcement Wing,
Thuckalay Police Station,
Thuckalay, Kanyakumari District.
(Crime No. 87/2006).

2. Chandra Seelan,

... Respondents

PRAYER :- This Petition is filed under Section 528 BNSS, directing the Judicial Magistrate, Eraniel, to expedite the trial in the case in C.C. No. 107 of 2009 and pass judgment within the time frame as fixed by this Court.

For Petitioner : Mr.C.R.Nimal,

For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor for R1



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ORDER

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This Petition is filed to direct the the Judicial Magistrate, Eraniel, to expedite the trial in the case in C.C. No. 107 of 2009 and the same within the time frame.

2. It is a case of the petitioner that the alleged occurrence took place in the year 2006 and the final report was filed in the year 2009; since the case is pending from 2009, the learned Magistrate has to be directed to conclude the trial within a time frame. He would further submit that the petitioner had earlier filed a petition in CrI.O.P.(MD)No. 22114 of 2018 and this Court, by order dated 20.11.2019, had directed the trial Court to conclude the trial within a period of six months and that in spite of the said direction, the learned Magistrate has not complied with the direction.

3. The learned Additional Public Prosecutor would submit that there are totally 9 accused and some of the accused were absconding and in fact, the petitioner himself was absconding for a period of 2 ½ years and therefore, the delay cannot be attributed to the prosecution and that



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case against accused Nos. 1 to 3 and 5 to 9 has been split up and renumbered as C.C.No.172 of 2018, and both the case against the petitioner and the other accused are now posted for trial on 26.11.2025.

4. Admittedly, all the accused are now before the trial court. The prosecution has cited 23 witnesses. Considering the earlier direction passed by this court and considering the above fact, this Court is inclined to direct the learning Magistrate to conclude the trial in both the cases within a period of six months from the date of receipt of a copy of this order.

5. With the above direction, this Criminal Original Petition is disposed of.

05.11.2025

NCC : Yes / No

Index : Yes / No

LS

TO

1. The Inspector of Police,
Thuckalay Prohibition Enforcement Wing,
Thuckalay Police Station,
Thuckalay, Kanyakumari District.



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SUNDER MOHAN,J.

LS

2..The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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05.11.2025