



Crl.O.P.(MD)No.22693 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.22693 of 2024

Fr.Mariya Francis

.. Petitioner

Vs.

State of Tamil nadu, rep., by
1.The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur.

2.The Inspector of Police,
District Crime Branch,
Thanjavur.
Cirme No.7 of 2016

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Judicial Magistrate No.II, Kumbakonam, to dispose of the case in CC.No.580 of 2020 on his file as expeditiously as possible and within the time stipulated by this Court.

For Petitioner : Mr.S.Ramakrishnan
For Respondents : Mr.K.Sanjai Gandhi
Government Advocate(Crl.Side)



ORDER

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The petitioner/defacto complainant had filed the above petition seeking for speedy and time bound disposal of the case in CC.No.580 of 2020 on the file of the learned Judicial Magistrate No.II, Kumbakonam.

2. The contention of the petitioner is that on the complaint of the petitioner, case in Crime No.7 of 2016 was registered, after four years, charge sheet has been filed in CC.No.580 of 2020, which is pending trial before the learned Judicial Magistrate No.II, Kumbakonam. The trial Court as well as the respondent police are not showing keen interest in progress of the trial. Hence, case has been periodically adjourned. The petitioner, who is the senior citizen aged about 62 years, with the health ailments seeks justice before his life ends.

2. The learned Government Advocate (crl.side) submitted that in this case, the respondent police had completed investigation and filed charge sheet listing 14 witnesses. The case was periodically adjourned citing that the accused in this case had filed a discharge petition. Now, the case has been posted on 18.01.2025 for examination of the witnesses. He



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undertakes that the trial in this case would be completed within a period of six months.

3. Considering the above submission, this Court directs the learned Judicial Magistrate No.II, Kumbakonam, to complete the trial in CC.No. 580 of 2020 within a period of six months from the date of receipt of a copy of this order. In any event of accused adopting any dilatory tactics to delay the trial, the trial Court to take coercive action including detain the accused in prison and complete the trial.

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

02.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
Rmk



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To

- 1.The Judicial Magistrate No.II, Kumbakonam.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur.
- 3.The Inspector of Police,
District Crime Branch,
Thanjavur.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

Rmk

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