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Crl.O.P.No.589 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.589 of 2026

R.Vijayasamundeeswari

... Petitioner

Vs.

State represented by,
The Inspector of Police,
Mailam Police Station,
Tindivanam.
(Crime No.529 of 2023)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, to direct the learned Judicial Magistrate No.II, Tindivanam, to dispose of P.R.C.No.49 of 2025 as expeditiously as possible, in accordance with law.

For Petitioner : Mr.M.Govindaraju

For Respondent : Mr.S.Santhosh
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Judicial Magistrate No.II, Tindivanam, to dispose of P.R.C.No.49 of 2025 as expeditiously as possible, in accordance with law.



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2. The submissions of the learned counsel appearing for the petitioner are as follows:-

2.1. Based on the complaint given by the petitioner/*de facto* complainant, alleging that the accused had trespassed into the temple building owned by him, caused damage to the structure, stolen brass lamps from the temple and threatened the students in the IAS coaching centre, a case in Crime No.529 of 2023 was registered by the respondent police for the offences under Sections 147, 148, 448 and 506(I) of IPC and Section 3 of the TN Public Property (Prevention of Damage and Loss) Act, 1992, on 17.09.2023.

2.2. After completion of the investigation, the respondent police filed the final report, which is pending committal on the file of the learned Judicial Magistrate No.II, Tindivanam, in P.R.C.No.49 of 2025.

2.3. The fourth accused in this case is a practicing Advocate and he is willfully evading service of summons in order to protract the trial. Hence, the present petition has been filed.

3. Learned Government Advocate (Criminal Side) appearing for the respondent police, on instructions, submitted that A1 in this case has passed away and that the case now stands posted for the appearance of the accused on 02.02.2026. He further submitted that the summons has been

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received by the respondent police and that steps are being taken to serve the summons on the accused.

4. Having heard the learned counsel appearing on either side and upon perusal of the materials available on record and taking note of the facts and circumstances of the case, this Court directs the respondent Police to serve summons on the accused so as to ensure their presence before the committal Court on 02.02.2026. On the appearance of the accused, the learned Judicial Magistrate No.II, Tindivanam, shall make every endeavour to commit the case to the Court of Session at the earliest.

5. With the above directions, this Criminal Original Petition stands disposed of.

12.01.2026

Neutral Citation: Yes/No
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To

1. The Judicial Magistrate No.II,
Tindivanam.
2. The Inspector of Police,
Mailam Police Station,
Tindivanam.
3. The Public Prosecutor,
High Court of Madras.

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A.D.JAGADISH CHANDIRA, J.

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