



Crl.O.P.(MD) No.2410 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.02.2024

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THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.2410 of 2024

Manoj

...Petitioner

VS

**The Inspector of Police,
Puthukadai Police Station,
Kanyakumari District.
Crime No.185 of 2021**

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the learned Judicial Magistrate No.2, Kuzhithurai to dispose the case in STC.No.588 of 2022 on the file of the learned Judicial Magistrate No.2, Kuzhithurai within a stipulated period that may be fixed by this Court.

For Petitioner : Mr.S.Sivakumar

**For Respondent : Mr.M.Veeranthiran
Government Advocate (Crl.side)**



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ORDER

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The learned Counsel for the Petitioner submitted that the Petitioner is the sole accused in S.T.C.No.588 of 2022. He seeks direction against the learned Judicial Magistrate No.II, Kulithurai to dispose of the case in STC.No.588 of 2022 pending on the file of the learned Judicial Magistrate No.II, Kulithurai.

2.It is the further submission of the learned Counsel for the Petitioner that the Petitioner had already completed B.E. in Electrical and Electronic Engineering and also completed MBA., course. Since the case is pending for such long time, the Petitioner is unable to apply for any job either in the Government sector or in the Private sector.

3.The learned Government Advocate (Criminal Side), on instructions of the Respondent, would submit that only there are 10 witnesses cited in the charge sheet. The prosecution is ready to produce the witnesses.



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4.The learned Judicial Magistrate No.2, Kuzhithurai, has offered his remarks to dispose of the case when the witnesses are made available by the SHO of the Police Station concerned. As per the remarks offered by the learned Judicial Magistrate No.2, Kuzhithurai, the case can be disposed of within short time, if the SHO of the Police Station produces all the witnesses.

5.The learned Judicial Magistrate No.2, Kuzhithurai, is directed to summon the SHO of the Puthukadai Police Station and also the Assistant Public Prosecutor attached to the Court and find out whether all the witnesses can be examined within a week. The date and time of examination of the witnesses shall be decided by the learned Judicial Magistrate No.2, Kuzhithurai and not by the SHO of the Police Station. As Trial Judge, he shall exercise his power and discretion to see that the witnesses are produced as per the date mentioned in the summons and complete the deposition of witnesses within a week from the date of commencement of trial. The trial shall be concluded and the case shall be disposed of within a month from the date to be fixed by the learned Judicial Magistrate No.2, Kuzhithurai.



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With the above directions, this Criminal Original Petition is disposed

of.

Internet: Yes./No

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Index: Yes/No

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To

- 1.The Inspector of Police,
Puthukadai Police Station,
Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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