

THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

CRIMINAL PETITION No.1380 of 2021

ORDER:-

This Criminal Petition under Section 482 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") is filed seeking direction to the trial Court to conduct expeditious trial in C.C.No.72 of 2019 on the file of the learned II Additional Judicial Magistrate of First Class, Bhimavaram, West Godavari District.

2. Heard learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

3. The petitioner is the sole accused in C.C.No.72 of 2019 on the file of the learned II Additional Judicial Magistrate of First Class, Bhimavaram, West Godavari District. He has been facing prosecution for the offence punishable under Section 338 IPC. The petitioner seeks direction to the trial Court to conduct expeditious trial in the said case on the ground that the petition is pursuing his higher education and he is appearing for various examinations and he is likely to get admission in foreign university and the pendency of this case would be an impediment for him to pursue his higher education. Therefore, he sought the aforesaid direction.

4. Admittedly, the petitioner is only appearing for some entrance examinations to pursue his studies abroad. He has not yet got any admission in any foreign university. Therefore, the pendency of the present case against him is not at all an impediment for him to appear for the said entrance examinations. As the petitioner did not get admission in any foreign university,

there is no impending need to order for expeditious trial in this matter. There are several old cases pending for trial in the said trial Court for the last many years. Therefore, the petitioner, who is accused in a case registered in the year 2019, cannot be given priority to order for expeditious trial. If the petitioner gets any admission in foreign university in future, then he may make a request for expeditious disposal of the said case. As of now, there are no valid legal grounds to order for expeditious trial in the present matter, when other matters are pending before the trial Court. Therefore, the Criminal Petition is dismissed.

Miscellaneous petitions, if any pending, in the Criminal Petition, shall stand closed.

JUSTICE CHEEKATI MANAVENDRANATH ROY

Date: 08.03.2021
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