

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2015

CORAM

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.7270 of 2015

T.Sivakumar

... Petitioner

-Vs-

State by
Inspector of Police
Vigilance and Anti Corruption Unit
Cross Cut road, Coimbatore.

... Respondent

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure to direct the learned Chief Judicial Magistrate, Coimbatore, in-charge of the Special Court for cases under Prevention of Corruption Act, Coimbatore to continue the trial of the case in Special C.C.No.139 of 2011 and complete it by pronouncing the judgment within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.P.K.Rajagopal
For Respondent : Mr.V.Arul
Govt. Advocate (Crl.side)

O R D E R

The petitioner has come forward with this petition for direction to the learned Chief Judicial Magistrate, Coimbatore, in-charge of the Special Court for cases under Prevention of Corruption Act, Coimbatore to continue the trial of the case in Special C.C.No.139 of 2011 and complete it by pronouncing the judgment within a stipulated time as may be fixed by this Court.

2.The learned counsel for the petitioner submitted that the petitioner is facing criminal case under Sections 7 and 13(2) read with 13(1)(d) of the Prevention of Corruption Act. But charge sheet was filed and the same was taken on file as Spl.C.C.No.139 of 2011,

which was pending for more than four years. Due to this case, proceedings was initiated, this petitioner was suspended and he is having stigma in the society. Hence, he prayed for early disposal of the case in Spl.C.C.No.139 of 2011.

3.Learned Government Advocate (Crl.side) submits that there is no Presiding Officer in the Special Court for cases under Prevention of Corruption Act, Coimbatore, only the learned Chief Judicial Magistrate is holding additional in-charge. He further submits that out of 23 witnesses, P.W.1 to P.W.4 were examined. Hence, six months time may be fixed to dispose of the case.

4.Heard the learned counsel for the petitioner and learned Government Advocate (Crl.side).

5.Considering the aforestated circumstances of the case, since the matter is pending for the past four years, the petitioner is facing criminal case under Sections 7 and 13(2) read with 13(1)(d) of the Prevention of Corruption Act, out of 23 witnesses, P.W.1 to P.W.4 were examined, it is a fit case for giving direction to the Trial Court for early disposal. Accordingly, the learned Chief Judicial Magistrate, Coimbatore, in-charge of the Special Court for cases under Prevention of Corruption Act, Coimbatore is directed to dispose of the case in Spl.C.C.No.139 of 2011 within a period of four months from the date of receipt of a copy of this order on day to day basis. The respondent is directed to produce the witnesses whenever the Court directs.

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

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

kj

WEB COPY

To

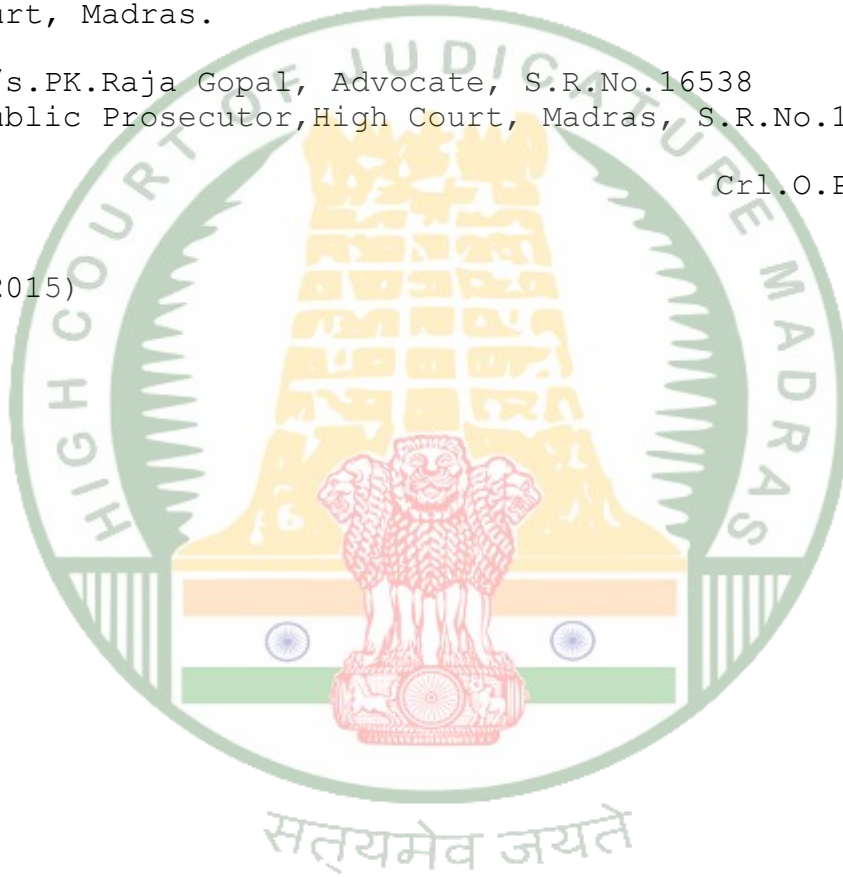
1. Inspector of Police
Vigilance and Anti Corruption Unit
Cross Cut road, Coimbatore.
2. The Chief Judicial Magistrate, Coimbatore
(in-charge of the Special Court for cases under
Prevention of Corruption Act, Coimbatore).
3. The Public Prosecutor
High Court, Madras.

+1cc to M/s.PK.Raja Gopal, Advocate, S.R.No.16538

+1cc to Public Prosecutor, High Court, Madras, S.R.No.16573

Cr1.O.P.No.7270 of 2015

CA(CO)
CA(01/04/2015)



WEB COPY