

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2015

CORAM :

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.8290 of 2015

B.Muthukumar

... Petitioner/Accused No.I

Vs.

State rep. By the  
Inspector of Police,  
Vigilance and Anti Corruption Unit,  
Coimbatore (Cr.No.14/2004)

... Respondent

Prayer:- Petition filed under Section 482 Cr.P.C. to issue direction to the Special Court for V & AC Cases, Coimbatore, to dispose of C.C.No.11 of 2011 pending on its file within a limited time frame.

For Petitioner : Ms.N.Revathi  
for Mr.M.Ravi

For Respondent : Mr.V.Arul  
Government Advocate (Crl. Side)

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

2.The petitioner, who is arrayed as Accused No.1 in C.C.No.11 of 2011 on the file of the Special Court for V & AC Cases, Coimbatore, has come forward with this petition stating that he is facing criminal case under Section 7 and 13(2) r/w. 13(1)(d) of the Prevention of Corruption Act. Trap proceeding has been initiated in the year 2004 and for the past 11 years, the petitioner is facing stigma in the society. Investigation is over and charge sheet has been filed. P.W.1 to P.W.5 were examined and then case has been transferred to the Special Court for V & AC Cases, Coimbatore. P.W.6 and P.W.7 were examined on 04.06.2014 and still nine more witnesses were there. But the case was periodically adjourned without examining further witnesses. Hence, he pray for direction, directing the Special Court for V & AC Cases, Coimbatore to dispose of the case in C.C.No.11 of 2011 within the time stipulated by this Court.

3.At the juncture, the learned Government Advocate (Crl. Side) would submit that the Presiding Officer, Special Court for V & AC Cases, Coimbatore is vacant and now, only the learned Chief Judicial Magistrate is placed as additional incharge and he pray for six months time for disposal of the case.

4.Considered the rival submissions made on both sides and perused the typed set of papers.

5.The petitioner who is the public servant facing criminal case from the year 2004 onwards and he is facing stigma in the society. Already P.W.1 to P.W.7 were examined and nine more witnesses were to be examined. The Presiding Officer in the Special Court for V & AC Cases, Coimbatore is vacant, but the learned Chief Judicial Magistrate is placed as additional incharge. Hence, the learned Chief Judicial Magistrate who was placed as additional incharge of the Special Court for V & AC Cases, Coimbatore is directed to dispose of the case in C.C.No.11 of 2011 within a period of four months from the date of receipt of a copy of this order. The respondent is directed to produce the witnesses whenever the Court directs.

6.The Criminal Original Petition is disposed of accordingly.  
cse

-s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. Inspector of Police,  
Vigilance and Anti Corruption Unit,  
Coimbatore (Cr.No.14/2004)
2. The Public Prosecutor  
High Court, Chennai.
3. The Record Keeper,  
Criminal Section, High Court, Madras.
4. The Chief Judicial Magistrate,  
i/c of Spl.Court for V & AC cases, Coimbatore.

+ 1 cc to Mr.M.Ravi, Advocate SR 18839

+ 1 cc to Public Prosecutor, High Court, Madras SR 18484

ksj(co)  
prk10/4

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