

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2015

CORAM

THE HONOURABLE MR.JUSTICE A.SELVAM

Crl.OP Nos.35670 of 2007
and 7082 of 2010

1. R.Krishnaraj
2. A.Anbarasan

....Petitioners/Accused 2 & 3
in Crl.O.P.No.35670/2007

1. S.Mohan
2. B.Jayachandran

...Petitioners in Crl.O.P.No.7082/2010

Vs

State by:

The Inspector of Police,
Vigilance and Anti Corruption
Cuddalore
Crime No. 11/2003/AC/CL

...Respondent in both Crl.O.Ps

Prayer:- Criminal Original Petitions filed under Section 482 Cr.P.C., to call for the entire records concerned in Special Case No.2/2007 on the file of the Chief Judicial Magistrate, Villupuram and quash the same.

For 1st petitioner in
Crl.O.P.No.35670/2007 : Mr.C.Prakasam

For 2nd petitioner in
Crl.O.P.No.35670/2007 : Mr.K.G.Senthilkumar

For Petitioners in
Crl.O.P.No.7082/2010 : Mr.Murthy

For Respondent in
both Crl.O.Ps : Mr.P.Govindarajan
Additional Public Prosecutor

COMMON ORDER

These Criminal Original Petitions have been filed praying to quash the proceedings of Special Case No.2 of 2007 pending on the file of the Chief Judicial Magistrate, Villupuram.

2. In both petitions, it is averred that the petitioners have been shown as accused Nos.2, 3, 5 and 6 in Special Case of 2 of 2007. Further, it is stated in the petitions that the petitioners have no connection with the alleged offences punishable under sections 120(b), 167, 409, 468, 471 and 477(A) of Indian Penal Code read with sections 13(2), r/w 13(1)(c) and (d) of Prevention of Corruption Act, 1988 r/w section 109 of Indian Penal Code. Under the said circumstances, these petitions have been filed to quash the entire proceedings of Special Case No.2 of 2007 pending on the file of the Chief Judicial Magistrate, Villupuram.

3. The learned counsel appearing for the 2nd petitioner in CrI.O.P.No.35670 of 2007 has represented that in Special Case No.2 of 2007, 25 witnesses have been examined and therefore necessary direction may be given to the concerned court to dispose of Special Case No.2 of 2007 as early as possible.

4. From the representation made by the learned counsel appearing for the 2nd petitioner in CrI.O.P.No.35670 of 2007, it is learnt that the Special Case No.2 of 2007 is in the stage of part-heard. Since Special Case No.2 of 2007 is in the stage of part-heard, the relief sought for in the present petitions cannot be granted. However, the following directions can be given on the basis of the representation made on the side of the second petitioner in CrI.O.P.No.35670 of 2007:

"The Chief Judicial Magistrate, Villupuram is strictly directed to dispose of Special Case No.2 of 2007 before the end of December, 2015 and report the same to the Registry without fail.

5. In fine, with the above direction, these Criminal Original Petitions are disposed of.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

To

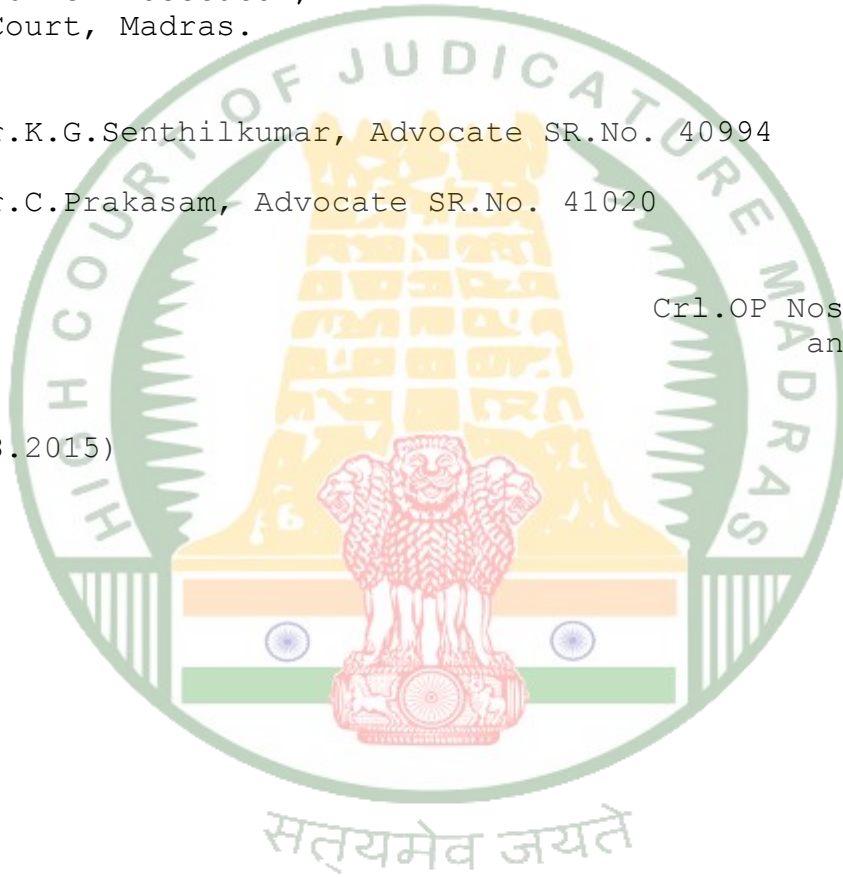
1. The Chief Judicial Magistrate,
Villupuram
2. The Inspector of Police,
Vigilance and Anti Corruption
Cuddalore
3. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.K.G.Senthilkumar, Advocate SR.No. 40994

1 CC to Mr.C.Prakasam, Advocate SR.No. 41020

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CTK (CO)
PSI (21.08.2015)



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