



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2015

CORAM:

THE HONOURABLE MRS.JUSTICE S.VIMALA

Criminal Original Petition (MD)No.16996 of 2015

T.V.Devarajan

.. Petitioner

Vs.

State represented through
The Inspector of Police,
Vigilance and Anti-Corruption,
Madurai.

.. Respondents

Prayer : Petition is filed under Section 482 Cr.P.C. to direct Special Court for Under Prevention of Corruption Act cases, Madurai to dispose case in Spl.case.No. 27 of 2011 pending on the file of the Special Court for Under Prevention of Corruption Act Cases, Madurai, as early as possible as the time fixed by this Court.

For Petitioner : Mr.C.M.Arumugam

For Respondent : Mr.P.Kandasamy
Government Advocate (crl. side)

ORDER

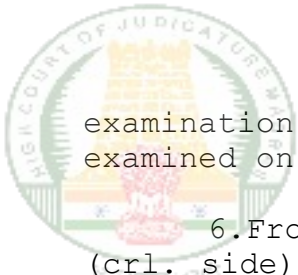
The petition is filed seeking direction to the Special Court for Prevention of Corruption Act cases, Madurai for early disposal of Spl.Case No.27 of 2011.

2.In the supporting affidavit, it is stated that the above case was taken on file by the Special Court on 19.10.2011. It is the grievance of the petitioner that the Court issued 8 summons to L.W.1 to appear before the Court and thereafter, there is no further progress. It is specifically stated in the affidavit that the Special Court without looking into the seriousness of the matter, casually adjourned the case.

3.The learned counsel for the petitioner submitted that the accused herein has underwent a heart surgery and being a senior citizen, he would be comfortable, if there is an early disposal of the case.

4.On account of whose fault, the case was adjourned is the main issue to be decided.

5.The learned Government Advocate (crl. side) has filed dates and events, from which, it is evident that after the examination of P.W.2 on 25.07.2012, only two years later, P.W.3 has been examined on 31.01.2014. It is represented that it is only the petitioner, who took time for cross



examination of the witnesses and in fact, one of the witnesses already examined on the side of the prosecution has not been cross examined.

6.From the details furnished by the learned Government Advocate (crl. side), it is evident that the default is mainly on the part of the petitioner also. However, the Court need not have entertained such a long request for adjournment.

7.Now, there is an undertaking by the learned counsel for the petitioner that there will be no request for adjournments on any ground whatsoever on any of the dates of hearing before the Special Court.

8.Recording the said undertaking, the Special Court is directed to make all endeavours to dispose of the case in Spl.Case No.27 of 2011, within a period of three months from the date of receipt of a copy of this order and also by taking up trial preferably on a day-to-day basis.

9.The Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

rj2

To

1. The Special Judge, Special Court for trial of cases undertaking prevention of corruption Act Cases, Madurai.
2. The Inspector of Police,Vigilance and Anti-Corruption, Madurai.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.C.M. Arumugam Advocate Sr.No.50958

GJM/SKS/RR/12.10.15-2P-5C

Crl.O.P. (MD) No.16996 of 2015
02.09.2015