

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.7079 of 2010

Mr.A.N.Dhyaneswaran Petitioner/Accused No.1
.Vs.

State rep. by the
Deputy Superintendent of Police,
SPE/CBI/ACB, Chennai. Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records in C.C.No.9 of 2001 on the file of the learned Principal Special Judge for CBI Cases, Chennai and to quash the order dated 20.03.2001 and consequential trial proceedings.

For petitioner : Mr.S.Kumaresan
for M/s. Thanjai P.N.Chezhan

For Respondent : Mr.K.Srinivasan, Spl.PP for CBI cases

O R D E R

The present Criminal Original Petition has been filed by the petitioner praying to quash the order dated 20.03.2001 in C.C.No.9 of 2001 on the file of the learned Principal Special Judge for CBI Cases, Chennai and consequential trial proceedings.

2.The petitioner herein is facing the trial for the disproportionate assets case filed by the respondent-CBI in the year 2001, which has been taken on file as C.C.No.9 of 2001 on the file of the learned Principal Special Judge for CBI Cases, Chennai vide the impugned order, for the alleged offences under Section 13(2) r/w 13(1)(e) of the Prevention of Corruption Act and under Section 109 IPC r/w 13(2) r/w 13(1)(e) of the Prevention of Corruption Act. The petitioner herein has been arrayed as the 1st accused in the said case. Now, the petitioner has filed this petition seeking to quash the criminal proceedings.

3.Though very many contentions have been raised by the learned counsel for the petitioner, at the time of hearing the case, it is reported by the learned Special Public Prosecutor that in this case, the trial is almost at the stage of completion and out of total 281 witnesses, most of the witnesses

were already examined and only 20 more witness are to be examined. Thus, he opposed to quash the impugned criminal proceedings.

4.In view of the submission made by the learned Special Public Prosecutor and considering the fact that the trial is nearing the stage of completion, I am not inclined to entertain this petition at this stage. Hence, this criminal original petition is dismissed.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To

- 1.The Principal Special Judge for CBI Cases,
Chennai.
- 2.The Deputy Superintendent of Police,
SPE/CBI/ACB, Chennai.
- 3.The Public Prosecutor,
High Court, Madras.

rj(co)
krd 12/9

Cr1.O.P.No.7079 of 2010



WEB COPY