

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Cr1.O.P.No.1860 of 2015

S.Guruswamy

... Petitioner/Defacto complainant

Vs.

State by

The Inspector of Police
Central Crime Branch, Team-III,
Chennai

... Respondent/Complainant

Prayer : Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the trial Court to expedite the trial in C.C.No.5945 of 2011 pending on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai.

For Petitioner : Mr.K.P.Anantha Krishna

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction, directing the trial Court to expedite the trial in C.C.No.5945 of 2011 pending on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai.

2.The learned counsel appearing for the petitioner submitted that on the basis of the complaint given by the petitioner/defacto complainant, a case in Crime No.130 of 2010 for offences punishable under Sections 419, 420, 465, 467, 468, 471 read with 34 IPC, has been registered. After investigation, charge sheet has been filed, which was taken on file in C.C.No.5945 of 2011 on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai, against 11 persons and the trial Court has not shown any interest to dispose of the case expeditiously. Hence, this petition has been filed praying for early disposal.

3.The learned Additional Public Prosecutor submitted that A1 and A9 have filed discharge petitions separately and A2 to A7 have also filed another discharge petition, which are pending.

4.On perusal of the Status Report received by this Court, it is seen in paragraph 6 that a Non-bailable warrant is pending against A9 and the discharge petition filed by A2 to A7 in CMP.No.4423 of 2012 and the discharge petition filed by A1 in CMP.No.4348 of 2013 are yet to be decided and the cases are still pending, due to non co-operation of the accused in making their appearance altogether before the trial Court.

5.At this juncture, the learned Additional Public Prosecutor submitted that A9 has obtained anticipatory bail and he has also filed a discharge petition, which was taken on file in CMP No.3600 of 2015, which is also pending.

6.In view of the above stated position, the trial court is directed to dispose of CMPs within a period of three months from the date of receipt of a copy of this order and all the accused are directed to appear before the trial Court. Further, the trial Court is directed to dispose of CC.No.5945 of 2011 as expeditiously as possible.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mps

To

1.The XI Metropolitan Magistrate,
Saidapet, Chennai.

2.The Inspector of Police
Central Crime Branch, Team-III,
Chennai

3.The Additional Public Prosecutor,
Madras High Court,
Madras.

+1cc to Mr.K.P.Anantha Krishna, Advocate, S.R.No.12703

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VSN(CO)

CA(28/03/2016)

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