

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.15962 of 2016

Jayavel

.. Petitioner

Vs

1. State: The Inspector of Police,
Central Crime Branch, Team I,
Chennai.

2. Gnanaselan ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Chief Metropolitan Magistrate, Egmore to expedite the trial of the case in C.C.No.5515 of 2013 and consequently direct to complete the trial within time frame stipulated by this Hon'ble Court.

For Petitioner :Mr.K.S.Kaviarasu

For Respondent :Mr.C.Emalias
No.1 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned Chief Metropolitan Magistrate, Egmore to expedite the trial of the case in C.C.No.5515 of 2013 and consequently direct to complete the trial.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

3. On a complaint lodged by the petitioner, the respondent police registered a case in Crime No.298 of 2012 and after completing the investigation, they filed a final report in C.C.No.5515 of 2013, which is now pending before the learned Chief Metropolitan Magistrate, Egmore.

4. The learned Additional Public prosecutor submitted that the trial has commenced and PW1 has been examined in-Chief on 24.03.2015 and thereafter, the accused filed an application under Section 91 Cr.P.C to call for certain documents, which was allowed by the trial Court and the documents have also been produced before the Court. He further submitted that the prosecution has examined six witnesses in the final report.

5. Taking into consideration, the nature of the allegation, this Court is of the view that it will serve the interest of justice, if the trial Court is directed to complete the trial in C.C.No.5515 of 2013 within a period of six months from the date of receipt of a copy of this order. The accused shall cross-examine the witnesses on the same day, they are examined in-chief as directed by the Supreme Court in Vinoth Kumar vs. State of Punjab [2015(1) MLJ (crl) 288]. If the petitioner adopts any dilatory tactics, it is open to the trial Court to remand him to custody in terms of the law laid down by the Supreme Court in State of Uttar Pradesh v. Shambjunath Singh [JT 2001 (4) SC 319].

In view of the above, the criminal original petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sms
To

1. The Inspector of Police,
Central Crime Branch, Team I,
Chennai.
2. The Public Prosecutor,
High Court, Madras.
3. The Chief Metropolitan Magistrate,
Egmore, Chennai.

+1cc to M/S.K.S.Kaviarasu, Advocate Sr.42923

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srg 22/08/2016