

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.26405 of 2015

Tirunavalur Primary Agricultural
Cooperative Credit Society
Rep. By its President,
Thirunavalur,
Ulundurpet,
Villupuram District ... Petitioner/Defacto Complainant.

Vs

1. The Deputy Superintendent of Police,
Commercial Crime Investigation Wing,
3, Manimutharu street East,
Shanmugapuram Colony,
Villupuram ... 1st Respondent/Complainant.

2. G.Elumalai
3. P.sivasubramaniam
4. J.Kannan (Deceased)
5. G.Veerasundaram (Deceased)
6. D.Siva @ Sivakumar
7. Mothibai @ Forukhal ... Accused/ Respondents 2 to 7

Criminal Original Petition filed under Section 482
Cr.P.C. to direct the learned Judicial Magistrate Court II,
Ulundurpet for speedy disposal of C.C.No.1 of 2011 pending
before the said court on day to day basis or by fixing some time
limit.

For Petitioner : Mr. R.Arumugam

For respondents : Mr. C.Emalias,
Additional Public Prosecutor
for -R1
Mr.N.Suresh, for R-2.

O R D E R

The present Criminal Original Petition has been filed
seeking a direction to the learned Judicial Magistrate Court II,
Ulundurpet for speedy disposal of C.C.No.1 of 2011.

2. The petitioner cooperative society is functioning at Tirunavallur village. More than 493 farmers pledged their jewels and obtained jewel loans from the petitioner society. On 22.05.2015, a theft occurred in the petitioner society and 1790 sovereign jewells (14320 grams) pledged by the poor farmers and Rs.3,50,079.34 cash were stolen from the Iron safe. Hence, the petitioner society has lodged a complaint and the same was registered as Crime No.168 of 2010 under Section 457 and 380 of IPC in Tirunavalur Police Station. Based on the investigation, Crime No.1 of 2011 under section 408, 409, 468, 420, 471, 477 (b), r/w. 109, 414 and 461 of IPC was also registered by the first respondent. During investigation, second accused/fourth respondent, namely, J.Kannan and fifth respondent G.Veerasundaram have died. While being so, one of the member filed W.P.No.22455 of 2012 for Writ of Mandamus for transfer of investigation in Crime No.168 of 2010 to Central Bureau of Investigation for effective investigation. Now, on the completion of investigation, charge sheet has been filed by the respondent police before the Judicial Magistrate No.II and the same is pending in C.C.No.4 of 2015 before the Judicial Magistrate No.II, Vellore. Since the matter is pending for a long time, he has come forward with the present petition.

3. I have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4. When the matter is taken up for consideration, the learned Additional Public Prosecutor submitted that direction may be given to dispose of the case along with connected cases in C.C.No.62, 63, 64, 65 and 66 of 2015, which are also pending in the same court.

5. In view of the submission made by the learned Additional Public Prosecutor, this Court directs the learned Judicial Magistrate No.II, Ulundurpet to expedite the trial of the case in C.C.No.4 of 2015 along with connected cases in C.C.Nos.62, 63, 64, 65 and 66 of 2015 and dispose of the same as early as possible.

6. The Criminal Original Petition is ordered accordingly.
mrp

s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

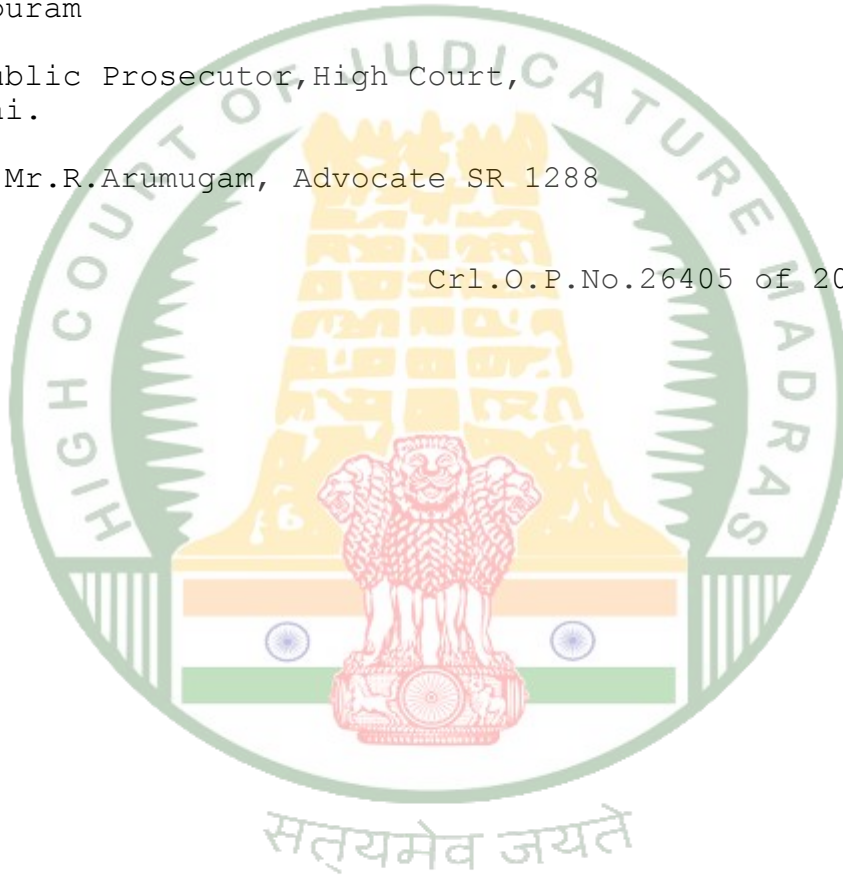
To

1. The learned Judicial Magistrate No.II,
Ulundurpet.
2. do thro'The Chief Judicial Magistrate,
Villupuram.
3. The Deputy Superintendent of Police,
Commercial Crime Investigation Wing,
3, Manimutharu street East,
Shanmugapuram Colony,
Villupuram
4. The Public Prosecutor, High Court,
Chennai.

+ 1 cc to Mr.R.Arumugam, Advocate SR 1288

ca(co)
prk27/1

Cr1.O.P.No.26405 of 2015



WEB COPY