

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.25491 of 2016

S.P.Selvaraj

.Petitioner

Vs

State rep by

The Inspector of Police-Crime
S-4 Nandambakkam Police Station
Nandambakkam, Chennai 600 089.

. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Judicial Magistrate, Alandur to expedite the trial in C.C.No.395 of 2015 pending on its file.

For Petitioner : Mr.D.Vijayababu

For Respondent : Mr.C.Emalias,
Addl.Public Prosecutor

O R D E R

This petition has been filed to direct the learned Judicial Magistrate, Alandur to expedite the trial in C.C.No.395 of 2015 pending on its file.

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

3. On the complaint lodged by the petitioner, the respondent police registered a case in Cr.No.48 of 2014 and after completing the investigation, has filed a Final Report in C.C.No.395 of 2015 before the Judicial Magistrate, Alandur against two accused.

4. On 01.07.2016, charges were framed against the accused and the case is posted to 06.02.2017 for examination of witnesses.

5. Under such circumstances, this Court directs the trial Court to expeditiously conduct the trial in C.C.No.395 of 2015 and complete the same within a period of eight months from 06.02.2017. The trial Court shall ensure that the accused cross-examines the witnesses on the day they are examined-in-chief, as held by the Supreme Court in Vinod Kumar vs. State of Punjab, [2015 (1) MLJ (CrI.) 288]. If the accused adopts any dilatory tactics, it is open to the Trial Court to insist upon their presence and remand them to custody as laid down by

the Supreme Court in State of Uttar Pradesh vs. Shambhu Nath Singh [JT 2001 (4) SC 319]. If thereafter the accused absconds, the trial Court shall direct registration of an FIR against them u/s 229-A IPC.

-sd/-
Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

gms

To

1.The Judicial Magistrate, Alandur,
Chennai.

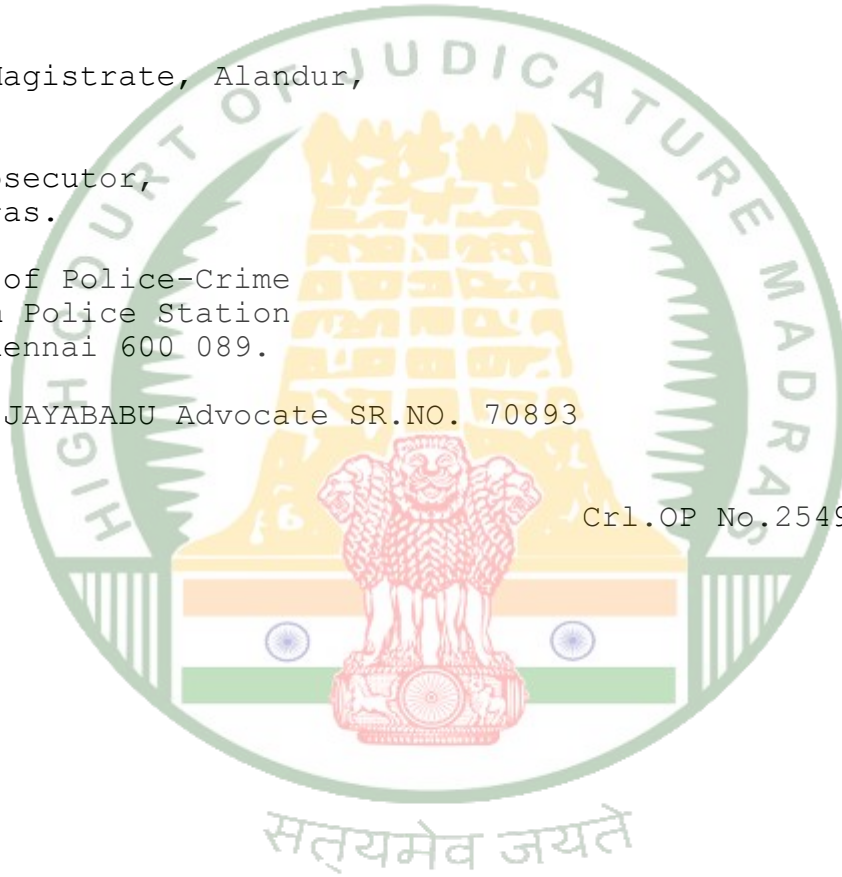
2.The Public Prosecutor,
High Court, Madras.

3.The Inspector of Police-Crime
S-4 Nandambakkam Police Station
Nandambakkam, Chennai 600 089.

+1 cc to MR.D.VIJAYABABU Advocate SR.NO. 70893

rk[co]
RD 30/12/2016

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