

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :09.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.MATHIVANAN

CRL.O.P.No.4781 of 2017

1. K.Rajamani
2. R.Thenmozhi
3. Tmt.Kalyani

... Petitioners

Vs.

State represented by
The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Wing,
Special Cell,
Salem.

... Respondent

Prayer : Criminal Original Petition is filed under Section 482 of Cr.P.C. to expedite the trial of the case in Spl.C.C.No.54 of 2005 pending on the file of the Chief Judicial Magistrate Court (Special Court), Salem.

For Petitioners : Mr.Vimal B.Crimson

For Respondent : Mr.E.Raja
Additional Public Prosecutor

O R D E R

Invoking the provisions of Section 482 Cr.P.C., this petition is filed by the petitioners seeking a direction to the learned Trial Judge viz., Chief Judicial Magistrate (Special Court), Salem, to expedite the trial of the Special Case in C.C.No.54 of 2005 as expeditiously as possible preferably within the period which may be fixed by this Court.

2. Heard Mr.Vimal B.Crimson, learned counsel for the petitioners and Mr.E.Raja learned Additional Public Prosecutor for the respondent/Police and perused the grounds of this petition.

3. The petitioners have stated that the respondent/police, based on the complaint lodged by the informant, had registered a

case in Crime No.1/AC/2001 dated 22.09.2001. After completion of the investigation, the respondent/police had laid a final report in the year 2005 i.e., after 4 years before the learned Special Judge, Salem and the same was taken on his file as C.C.No.54 of 2005. This case has been pending for the past 11 years without any progress.

4. However, it is brought to the notice of this Court by the petitioners that so far 30 witnesses were examined on behalf of the prosecution and still 60 witnesses are yet to be examined. Under this circumstance, Mr.Vimal B.Crimson, learned counsel for the petitioners has urged this Court to issue a direction to the learned Special Judge to expedite the trial and dispose the case within a period of three or four months.

5. This Court has struck a balance between the submissions made by the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent and having taken into consideration of the relevant facts and circumstances, this Court is of view that a direction may be given to the learned Chief Judicial Magistrate (Special Court), Salem, as requested by the petitioners to dispose the case within a stipulated period.

6. Accordingly, this Criminal Original Petition is allowed and the learned Trial Judge (Chief Judicial Magistrate), Salem, is hereby directed to dispose the above said case within a period of four months from the date of receipt of a copy of this order without loss of further time on day to day basis.

Sd/-
Asst.Registrar (CO)

/true copy/

सत्यमेव जयते
Sub Asst. Registrar

ssn

To

1. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Wing,
Special Cell,
Salem.

2. The Chief Judicial Magistrate,
Salem.

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3. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.Vimal B Crimson, Advocate, sr 15106

CRL.O.P.No.4781 of 2017

ad(co)
rmp(16/03/17)



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