

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2017

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.25118 of 2017

G.Manimegalai,
Special Tahsildar (under suspension),
Pennagaram Taluk,
Dharmapuri District. .. Petitioner

Vs.

State by
Deputy Superintendent of Police,
Vigilance and Anti Corruption Wing,
Krishnagiri .. Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to issue a direction to dispose of the case in Spl.C.C.No.1 of 2015 on the file of the Chief Judicial Magistrate /Special Judge, Dharmapuri within a stipulated period of time as fixed by this Court.

For Petitioner : Mr.R.Ezhilarasan

For Respondent : Mr.P.Govindarajan,
Additional Public Prosecutor.

ORDER

The present Criminal Original Petition has been filed by the accused in Special C.C No.1 of 2015 on the file of the Chief Judicial Magistrate /Special Judge, Dharmapuri for issuance of direction to the Special Court to expedite the trial.

2. The brief facts of the case is that the respondent has registered a case in Cr.No.07/AC/2013 against the petitioner/accused, who was working as Special Tashildar, Farmer Security Scheme, Pennagaram Taluk, Dharmapuri District from 01.09.2011 to 19.11.2013 and now has been placed under suspension for alleged offences under Section 7 of Prevention of

Corruption Act. After investigation, the respondent has filed a charge sheet under Section 173(2) Cr.P.C for the offences punishable under Section 7 and 13(1)(d) of the Prevention of Corruption Act before the Chief Judicial Magistrate/ Special Judge, Dharmapuri and the same was taken on file in Spl. C.C.No.1 of 2015.

3. According to the learned counsel for the petitioner, final report pursuant to the First Information Report(FIR) dated 19.11.2013 was filed before the trial Court on 05.01.2015 citing 21 witnesses. In spite of filing the final report on 05.01.2015, the prosecution has commenced the examination of witnesses only after two years (i.e) after 12.01.2017. On the same day, defense has cross examined the witnesses. Thereafter, there has been no progress in the trial and now merely after a period of eight (08) months, the prosecution yet not has produced any witness for examination.

4. The learned Additional Public Prosecutor representing the respondent submits that, due to priority given to certain other cases which are time-bound cases, where the date has been fixed by this Court, prosecution was not able to produce witnesses in this case. However, on the next date of hearing which is fixed on 06.12.2017, prosecution has summoned few witnesses to give evidences and would get along with the trial, as expeditiously as possible.

5. Recording the submission made by the learned Additional Public Prosecutor, this Criminal Original Petition is dismissed, with a direction to the respondent police to martial the witnesses on every date of hearing without fail and complete the trial as early as possible.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Deputy Superintendent of Police,
Vigilance and Anti Corruption Wing,
Krishnagiri

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Ezhilarasan, Advocate, S.R.No.82512

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RRK(11/12/2017)



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