IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.Nos.7284 to 7293, 7301 to 7310, 7340 to 7350, 7438 to 7448, 7498 to 7506 and 7534 to 7543 of 2018
and connected miscellaneous petitions

Crl.O.P.No.7284 of 2018:

Additional Deputy Commercial Tax Officer-IW
Commercial Taxes Department
100 Feet Road, Puducherry. .. Petitioner(in all Crl.OPs)

Vs

M.Veerasamy .. Respondent in Crl.OP.7284, 7285, 7290, 7292, 7293/2018

1 M/S.NEHRU SERVICE CENTRE
KANNIAKOIL, PONDY-CUDDALORE MAIN ROAD,
PUDUCHERRY, PARTNERSHIP FIRM REP.BY
M.R.MUTHURAMAN .. 1st Respondent in Crl.O.P.No.7286, 7287, 7288, 7289, 7290, 7291, 7293/2018

2 K.MANI PARTNER (DIED)
WHOSE ESTATE IS REPRESENTED BY
LEGAL REPRESENTATIVE M.R.MUTHURAMAN
.. 2nd Respondent in Crl.O.P.No7286, 7288, 7290, 7291, 7293/18

3 M.R.MUTHURAMAN
MANAGING PARTNER OF
M/S.NEHRU SERVICE CENTRE
.. 3rd Respondent in Crl.O.P.No.7286, 7288, 7289, 7290, 7291, 7293/2018

2nd Respondent in Crl.O.P.No7287/2018

4. R.THIRUMALAI .. 1st Respondent in Crl.O.P.No7301, 7306, 7535, 7536, 7537, 7538, 7539, 7540, 7541, 7542, 7543/2018

5. T.SARAVANAN .. 2nd Respondent in Crl.O.P.No.7301, 7306, 7535, 7536, 7537, 7538, 7539, 7540, 7541, 7542, 7543/2018

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6. M.GANESAN .. 3rd Respondent in Crl.O.P.No.7301/18, 7306, 7535, 7536, 7537, 7538, 7539, 7540, 7541, 7542, 7543/2018

7. TVL.VASANTHI AGENCIES
REP.BY P.VASANTHI W/O.PALANIAPPAN.
.. 1st Respondent in Crl.O.P.No.7302, 7303, 7304, 7305, 7307, 7308, 7309, 7310/18

8. M.SARAVANAN
S/O.MURUGESAN
.. 2nd Respondent in Crl.O.P.No.7302, 7303, 7304, 7305, 7307, 7308, 7309, 7310/2018

9. P.VASANTHI
W/O.PALANIAPPAN
.. 3rd Respondent in Crl.O.P.No.7302, 7303, 7304, 7305, 7307, 7308, 7309, 7310/2018

10. SANTHI NAVANEETHAKRISHNAN
... Sole Respondent in Crl.Op.7340, 7341, 7342, 7343, 7344, 7345, 7346, 7347, 7348, 7349, 7350/2018

11. SENTHIL KUMAR
.. Sole Respondent in Crl.O.P.No.7438/2018, 7439, 7440, 7441, 7443/2018

12. S.KATHIRESAN ..Sole Respondent in Crl.O.P.No.7442, 7444, 7445, 7446, 7447, 7448/2018

13. M.GANESAN
S/O.S.P.MANICCASAMY
.. Sole Respondent in Crl.O.P.No.7498, 7499, 7500, 7501, 7502, 7503, 7504, 7505, 7506/2018

14. M/s.K.M.P.AGENCIES
REP.BY S.P.M.GANESAN
.. 1st Respondent in Crl.O.P.No.7534/18

15. S.P.M.GANESAN ..2nd Respondent in Crl.O.P.No.7534/18

16. G.PRABAVATHY ..3rd Respondent in Crl.O.P.No.7534/18

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Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Judicial Magistrate-I, Puducherry to dispose of C.C.No.425 of 2010, C.C.No.423 of 2010, C.C.No.473 of 2008, C.C.No.397 of 2010, C.C.No.693 of 2008, C.C.No.408 of 2010, C.C.No.207 of 2013, C.C.No.635 of 2008, C.C.No.225 of 2013, C.C.No.255 of 2013, C.C.No.382 of 2008, C.C.No.770 of 2011, C.C.No.424 of 2010, C.C.No.952 of 2011, C.C.No.9 of 2010, C.C.No.403 of 2010, C.C.No.340 of 2008, C.C.No.919 of 2011, C.C.No.339 of 2008, C.C.No.301 of 2008, C.C.No.406 of 2010, C.C.No.5 of 2011, C.C.No.141 of 2011, C.C.No.4 of 2011, C.C.No.198 of 2011, C.C.No.437 of 2009, C.C.No.6 of 2011, C.C.No.140 of 2011, C.C.No.648 of 2008, C.C.No.197 of 2011, C.C.No.367 of 2008, C.C.No.206 of 2013, C.C.No.507 of 2009, C.C.No.353 of 2011, C.C.No.208 of 2013, C.C.No.220 of 2009, C.C.No.205 of 2013, C.C.No.41 of 2010, C.C.No.153 of 2017, C.C.No.325 of 2010, C.C.No.280 of 2010, C.C.No.264 of 2010, C.C.No.111 of 2012, C.C.No.630 of 2011, C.C.No.404 of 2010, C.C.No.7 of 2010, C.C.No.405 of 2010, C.C.No.618 of 2009, C.C.No.112 of 2012, C.C.No.8 of 2010, C.C.No.113 of 2012, C.C.No.304 of 2008, C.C.No.629 of 2008, C.C.No.303 of 2008, C.C.No.265 of 2010, C.C.No.484 of 2015, C.C.No.341 of 2008, C.C.No.225 of 2011, C.C.No.91 of 2011, C.C.No.145 of 2013, C.C.No.296 of 2010, within an early date.

For Petitioner : Mr.D.Bharatha Chakravarthy
Additional Public Prosecutor (Puducherry)

For Respondent : Mr.Haza Nazirudeen
Senior Counsel
for Mr.S.Ravee Kumar,
for sole Respondent in
Crl.O.P.No.7438/2018 to 7448/2018

Mr.N.R.Rajagopalan,
sole Respondent in
Crl.O.P.No.7498 to 7506/2018

C O M M O N O R D E R

These petitions have been filed to direct the learned Judicial Magistrate-I, Puducherry to dispose of the Calendar Case numbers set out in para 3 below, at an early date.

2. The Supreme Court has directed the High Court to ensure that cases are not kept pending indefinitely in the trial Court, pursuant to which, several directions have been issued from time to time. It is seen that the Calendar Cases on the file of Judicial Magistrate-I, Puducherry, which are the subject matter in these petitions, have been pending since 2008.

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3. In such view of the matter, this Court directs the Judicial Magistrate-I, Puducherry to complete the trial in the following Calendar Cases within a period of three months from the date of receipt of a copy of this order.

S.No.	Crl.O.P.No.	C.C.No.
1	7284 of 2018	425 of 2010
2	7285 of 2018	423 of 2010
3	7286 of 2018	473 of 2008
4	7287 of 2018	397 of 2010
5	7288 of 2018	693 of 2008
6	7289 of 2018	408 of 2010
7	7290 of 2018	207 of 2013
8	7291 of 2018	635 of 2008
9	7292 of 2018	225 of 2013
10	7293 of 2018	255 of 2013
11	7301 of 2018	382 of 2008
12	7302 of 2018	770 of 2011
13	7303 of 2018	424 of 2010
14	7304 of 2018	952 of 2011
15	7305 of 2018	09 of 2010
16	7306 of 2018	403 of 2008
17	7307 of 2018	340 of 2008
18	7308 of 2018	919 of 2011
19	7309 of 2018	339 of 2008
20	7310 of 2018	301 of 2008
21	7340 of 2018	406 of 2010
22	7341 of 2018	5 of 2011
23	7342 of 2018	141 of 2011
24	7343 of 2018	4 of 2011
25	7344 of 2018	198 of 2011
26	7345 of 2018	437 of 2009
27	7346 of 2018	6 of 2011
28	7347 of 2018	140 of 2011
29	7348 of 2018	648 of 2008
30	7349 of 2018	197 of 2011
31	7350 of 2018	367 of 2008

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S.No.	Crl.O.P.No.	C.C.No.
32	7438 of 2018	206 of 2013
33	7439 of 2018	507 of 2009
34	7440 of 2018	353 of 2011
35	7441 of 2018	208 of 2013
36	7442 of 2018	220 of 2009
37	7443 of 2018	205 of 2013
38	7444 of 2018	41 of 2010
39	7445 of 2018	153 of 2017
40	7446 of 2018	325 of 2010
41	7447 of 2018	280 of 2010
42	7448 of 2018	264 of 2010
43	7498 of 2018	111 of 2012
44	7499 of 2018	630 of 2011
45	7500 of 2018	404 of 2010
46	7501 of 2018	7 of 2010
47	7502 of 2018	405 of 2010
48	7503 of 2018	618 of 2009
49	7504 of 2018	112 of 2012
50	7505 of 2018	8 of 2010
51	7506 of 2018	113 of 2012
52	7534 of 2018	304 of 2008
53	7535 of 2018	629 of 2008
54	7536 of 2018	303 of 2008
55	7537 of 2018	265 of 2010
56	7538 of 2018	484 of 2015
57	7539 of 2018	341 of 2008
58	7540 of 2018	225 of 2011
59	7541 of 2018	91 of 2011
60	7542 of 2018	145 of 2013
61	7543 of 2018	296 of 2010

4. The accused are directed to appear before the trial Court within a period of two weeks from the date of receipt of a copy of this order and execute a bond under Section 88 Cr.P.C. for a sum of Rs.5,000/- each without sureties, if not already executed. The accused are directed to co-operate in the

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completion of trial. They shall cross-examine the prosecution 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 (Crl) 288]. If they adopt 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 the accused abscond, the trial Court shall direct registration of an FIR against them under Section 229-A IPC.

With the above directions and observations, these petitions are disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gms
To

1. The Additional Deputy Commercial Tax Officer-IW
   Commercial Taxes Department
   100 Feet Road, Puducherry.

2. The Judicial Magistrate-I, Puducherry.

3. The Public Prosecutor, (Puducherry)
   High Court, Madras.

+1cc to O/o the Government Pleader-cum-for
Puducherry, S.R.Nos.28235 to 28254, 27771 to 27773 & 27775 to 27777
+1cc to Mr.P.S.Ganesh, Advocate, S.R.No.28220
+2ccs to Mr.S.Ravee Kumar, Advocate, S.R.No.27959 & 27960
+1cc to Mr.M.Vaikunth, Advocate, S.R.No.27842
+1cc to Mr.N.R.Rajagopalan, Advocate, S.R.No.27795

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GMR(CO)
CS/15/05/18

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