

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.03.2018

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.9658 of 2018
and Crl.M.P.No.4981 of 2018

V.Venkatesan

...Petitioner/Accused

Vs.

State represented by the
Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Salem

...Respondent/Complainant

Prayer: Criminal original petition filed under Section 482 of Criminal Procedure Code, praying to call for the records relating to the order dated 19.02.2018 made in Crl.M.P.No.71 of 2018 in Spl.C.C.No.68 of 2014 on the Court of Special Judge (Special Court for Trial of Cases under Prevention of Corruption Act), Salem and to set aside the same.

For Petitioner : Mr.M.Devaraj

For Respondent : Mr.K.Prabakar

Additional Public Prosecutor

ORDER

This petition is to direct against the order passed by the Trial Court dismissing the application filed under Sections 243(2) and 311 of Cr.P.C. to issue summons to the wife of the petitioner to examine as defense witness.

2 The perusal of impugned order, the petitioner indicates that the present application is to summon a witness for defense has been taken out after enough opportunity given to the accused to provide such of defense witness, only after the submission of the learned counsel for the accused that there is no defense witness, the Trial Court has proceeded further by fixing 22.12.2017 as a date for argument. Thereafter, the accused has filed this petition.

3 Hence, the Trial Court after considering the provision of law viz., Section 247 Cr.P.C and Section 22 of Prevention of Corruption Act, had dismissed the petition.

4 This Court finds no infirmity or illegality in the findings of the Trial Court. Hence, the petition stands dismissed. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1 The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Salem

2 The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Devaraj, Advocate Sr.No.23428

SKS (CO)
sm:20.4.2018

Cr1.O.P.No.9658 of 2018



सत्यमेव जयते

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