

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2018

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.21285 of 2018

S.Vijayalakshmi

... Petitioner

/Vs/

The Inspector of Police,
Vigilance and Anti-corruption,
Head Quarters,
Chennai-600 028.

... Respondent

PRAYER: Criminal Original Petition filed under section 482 of Cr.P.C., seeking direction to fix time for completion of trial in C.C.No.6 of 2016 on the file of the Special Judge for Cases under Prevention of Corruption Act, Chennai.

For Petitioner : M/s.V.Anuradha

For Respondent : Mr.K.Prabakar
Additional Public Prosecutor
for V & AC Cases

O R D E R

The petition has been filed by the petitioner seeking direction to fix time for completion of trial in C.C.No.6 of 2016 pending on the file of the Special Judge for Cases under the Prevention of Corruption Act, Chennai.

2. Heard both sides.

3. The learned counsel appearing for the petitioner would submit that on the complaint given by the petitioner, case in Crime No.4 of 2014 was registered by the respondent. He would further submit that after completion of investigation, the respondent have filed a charge sheet on 09.03.2014. Thereafter, during the year 2017, the 1st accused had filed a petition for quashing the proceedings and this Court in CrI.O.P.No.1396 of 2017 by an order dated 18.07.2017 dismissed the quash

application with a direction to the trial Court to proceed the case in accordance with law and dispose the case within a period of four months. He would further submit that a petition was filed by the petitioner to implead the petitioner as the proposed 3rd respondent in the Crl.O.P.No.1396 of 2017, however, this court was pleased to dismiss the same finding that there was no adverse remarks against the prosecution that they acted against the interest of the de-facto complainant. Later, the quash petition was dismissed for non-prosecution. The learned counsel for the petitioner would further submit that since the earlier application was dismissed for default, the accused once again filed a petition for quash and thereafter, this Court had also dismissed the quash application on merits on 25.10.2017. He would further submit that though the quash application has been dismissed on 25.10.2017, there is no progress in the trial.

4. The learned Additional Public Prosecutor would submit that the trial has commenced and that totally there are 38 witnesses in this case and first witness has been examined as PW1 in this case and he would also submit that the case stands posted on 05.09.2018 for further examination of witnesses and would submit that there is a probability of the trial being completed within a period of six months.

5. Taking into consideration the submissions made by the learned counsels and also taking into consideration the earlier order passed by this Court in Crl.O.P.No.1396 of 2017 dated 25.10.2017, I am inclined to allow this petition.

6. Accordingly, this Criminal Original Petition is allowed and the learned Special Judge for Cases under Prevention of Corruption Act, Chennai is directed to take earnest steps to complete the trial preferably within a period of six months from the date of receipt of a copy of this order.

Sd/-

सत्यमेव जयते Assistant Registrar(CS IV)

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Sub Assistant Registrar

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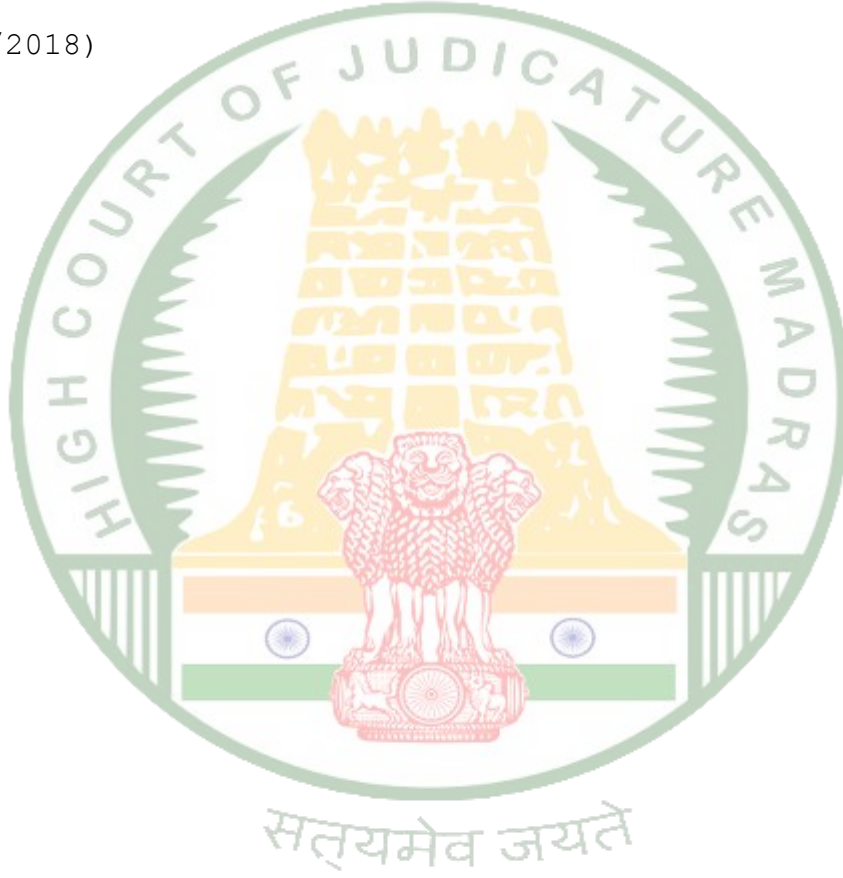
1. The Special Judge for Cases under Prevention of Corruption Act, Chennai.
2. The Additional Public Prosecutor, for V & AC Cases, High Court, Chennai.

3. The Inspector of Police,
Vigilance and Anti-Corruption
Head Quarters,
Chennai-600 028.

+1cc to Mr.V.Anuradha, Advocate, S.R.No.60214

Cr1.O.P.No.21285 of 2018

SR(CO)
GSP(24/09/2018)



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