



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD)No.2831 of 2018

WEB COPY

S.S.Porchelian

: Petitioner

-Vs-

The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Tirunelveli District.

: Respondent

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the Special Court of Vigilance and Anti Corruption, Tirunelveli, to dispose Spl.Case No.4 of 2016, within a time as framed by this Court.

For Petitioner
For Respondent

: Mr.K.P.Narayanakumar
: Mr.C.Mayil Vahana Rajendran,
Additional Public Prosecutor

O R D E R

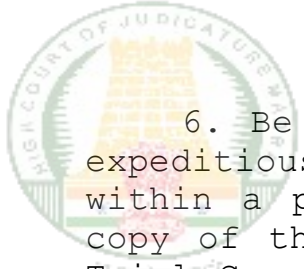
This petition has been filed by the accused for a direction to the Trial Court to expeditiously complete the trial in Special Case No.4 of 2016.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3.The learned Additional Public Prosecutor submitted that after the charge sheet was filed, the petitioner challenged the charge sheet by filing Crl.O.P.(MD)No.23799 of 2016 and ultimately, the quash application has been dismissed by this Court only on 04.12.2017.

4. Under such circumstances, when the delay has been on account of the petitioner's own making, he cannot be heard to say that the Trial Court should expeditiously complete the trial.

5. The learned counsel for the petitioner submitted that Section 207 of the Code of Criminal Procedure papers were not furnished to the accused. This plea cannot be sustained, because, the accused has managed to obtain certified copies of the papers and has filed Crl.O.P.(MD)No.23799 of 2016 for quashing the prosecution.



6. Be that as it may, this Court directs the Trial Court to expeditiously complete the trial in Special Case No.4 of 2016, within a period of eight months from the date of receipt of a copy of this order, provided the petitioner co-operates with the Trial Court by cross-examining the witnesses on the day they are examined in chief, as directed by the Supreme Court in **Vinod Kumar vs. State of Punjab** reported in **2015 (1) Scale 542**. If he adopts any dilatory tactics, it is always open to the Trial Court to remand him to custody, in view of the law laid down by the Supreme Court in **State of U.P. vs. Shambhu Nath Singh** reported in **2001 (4) SCC 667**. If he absconds, a fresh Information Report can be registered against him under Section 229-A of the Indian Penal Code.

7. With the above direction, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Special Court of Vigilance and Anti Corruption,
Tirunelveli.
2. The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.P.Narayanakumar, Advocate Sr.No.50318

SML

VB/KK/SAR4/07/03/2018/2P/5C

Order made in
CRL.O.P. (MD) No.2831 of 2018
Dated: 22.02.2018