

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 17.12.2019

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL. O.P. NO. 15005 OF 2019

Smt. Jayalakshmi

... Petitioner

- Vs -

The State, rep. By
The Inspector of Police
Central Bureau of Investigation
Anti Corruption Branch
Shastri Bhavan
3rd Floor, Haddows Road
Chennai 600 006.

... Respondent

Criminal Revision Case filed u/s 397 r/w 401 of the Code of Criminal Procedure, to call for the entire records pertaining to C.C. No.36/2009 pending trial on the file of the learned XIII Addl. Special Judge for CBI Cases, City Civil Court, Chennai 104 and quash the charges framed on 5.9.12 as against the petitioner who is arrayed as A-14 in the same case.

For Petitioner : Mr. V.S.Venkatesh

For Respondent : Mr. K.Srinivasan,
Spl. P.P. (CBI)

ORDER

The present revision has been filed to call for the entire records pertaining to C.C. No.36/2009 pending trial on the file of the learned XIII Addl. Special Judge for CBI Cases, City Civil Court, Chennai and quash the charges framed on 5.9.12 as against the petitioner who is arrayed as A-14 in the same case

2. When the matter is taken up for hearing, learned Special Public Prosecutor appearing for the respondents submitted that 36 witnesses out of 74 witnesses have been examined and that the petitioner has also participated in

the trial and has cross examined the said witnesses and, therefore, quashing the said charges at the present stage would be detrimental to the prosecution. To the above submission, learned counsel for the petitioner submitted that this Court may, without going into the merits, direct the trial court to conclude the trial as expeditiously as possible, as the petitioner is aged around 65 years and is suffering from many age related ailments and this Court may also consider dispensing with her personal appearance. Learned Special Public Prosecutor appearing for the respondent, has no objection to this Court acceding to the said request and submits that such a direction may be issued to the trial court.

3. In such view of the matter, this Court is of the considered opinion that without going into the merits of the case, it would be suffice to issue a direction to the trial court to complete the trial in C.C. No.36/2009 as expeditiously as possible.

4. Accordingly, this petition is disposed of directing the trial court to conclude the trial of C.C. No.36/2009 as expeditiously as possible. The petitioners and respondent are directed to co-operate with the trial court for the early completion of trial. Further, taking into consideration the request as made by the learned counsel for the petitioner, the appearance of the petitioner before the trial court is dispensed with except for her appearance for the purpose of questioning under Section 313 Cr.P.C. and on the day on which judgment is to be pronounced. However, if for any particular reason, the presence of the petitioner is necessary, the trial court, at its wisdom, shall direct her appearance on those days, however, taking into account the age of the petitioner and the age related ailments being suffered by her.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

GLN

To

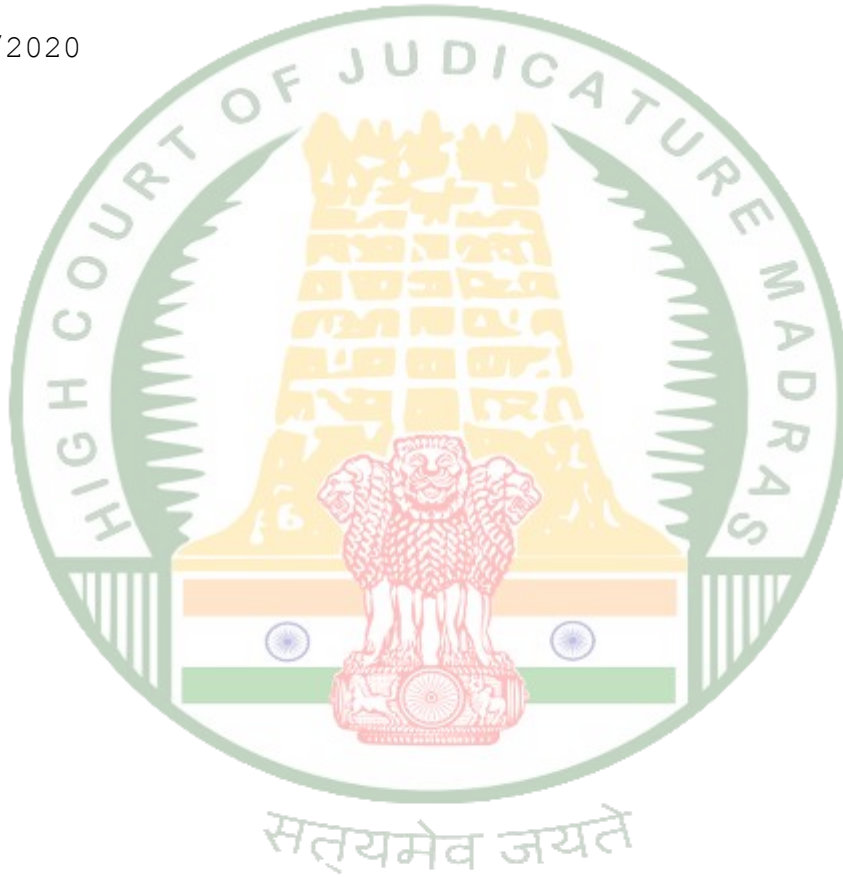
1. XIII Addl. Special Judge for CBI Cases
City Civil Court
Chennai 600 104 .

2. The Special Public Prosecutor
CBI Cases
High Court, Madras.

+1cc to M/s.V.S.Venkatesh, Advocate Sr.104798

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rsv[co]
srg 30/01/2020



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