



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.18491 of 2019

Rajendra Prasad

...Petitioner / Accused No.12

Vs.

The State
Represented by
The Inspector of Police,
Economic Offence Wing-II,
Anna Nagar,
Chennai-600 040.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to conduct the joint trial in C.C No.5098 and 5099 of 2009 pending on the file of the Chief Metropolitan Magistrate, Egmore.

For Petitioner :Mr.M.Rajendiran

For Respondent :Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking for a direction to the Court below to conduct a joint trial in C.C No.5098 and 5099 of 2009 and complete the proceedings within a time limit that can be fixed by the Court.

2. The learned counsel for the petitioner submitted that based on a complaint which was registered in Crime No.383 of 1998, a final report came to be filed in C.C No.127 of 2000 before the XI Metropolitan Magistrate, Saidapet. Thereafter, the case was transferred to the file of the Chief Metropolitan Magistrate Court, Egmore. However, the case has been split up as C.C Nos.5098 and 5099 of 2019. The learned counsel for the petitioner submitted that there is no requirement to conduct separate trial in both the calendar cases and a joint trial can be conducted by the Court below so that there is no multiplicity of proceedings and admittedly, the entire case arises out of a single complaint against all the accused persons.



3. The learned Additional Public Prosecutor submitted that the trial is already in progress and some time limit can be fixed for the completion of the proceedings.

4. Taking into consideration the facts and circumstances of the case and the submissions made on either side, there shall be a direction to the Court below to conduct the proceedings in C.C Nos.5098 and 5099 of 2009 as a joint trial in accordance with the guidelines given by the Hon'ble Supreme Court in Nathilal vs. State of Uttarpradesh reported in 1990 SCC Criminal, page 638.

5. The proceedings shall be completed within a period of three months from the date of receipt of copy of this order.

6. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Chief Judicial Magistrate,
Egmore, Chennai.

2. The Inspector of Police,
Economic Offence Wing-II,
Anna Nagar,
Chennai-600 040.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.M.Rajendran, Advocate, S.R.No.59969

Crl.O.P.No.18491 of 2019

SSD(CO)
SSM(28/08/2019)