

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Cr1.O.P.No.18498/2019

A.G.Gopal

...Petitioner/Defacto complainant

Vs.

State by
The Deputy Superintendent of Police
Vigilance and Anti Corruption
Kancheepuram
Kancheepuram District. ...Respondent / Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the learned Chief Judicial Magistrate, Chengalpattu, Kanchipuram District to expedite the trial in Special CC.No.6/2015 on his file and also to complete the trial accordingly within the time to be stipulated by this Court.

For Petitioner : Mr.S.Sasikumar

For Respondents : Mr.K.Prabakar, APP

ORDER

This Criminal Original Petition has been filed by the petitioner seeking to direct the learned Chief Judicial Magistrate, Chengalpattu, Kanchipuram District, to expedite the trial in Special CC.No.6/2015 pending on his file and also to complete the trial accordingly within the time to be stipulated by this Court.

2 The learned counsel for the petitioner would submit that the petitioner is the defacto complainant and that on the complaint given by the petitioner, a case in crime No.1/2014 was registered against Mr.N.Soundararajan and other accused for the offences u/s.120-B IPC and section 13[2] read with 13[1][d] of

the Prevention of Corruption Act, 1988 read with 109 IPC and the Final Report was filed before the learned Chief Judicial Magistrate, Chengalpattu, Kanchipuram District, and the same was taken on file in Special CC.No.6/2015. He would submit that on an earlier occasion, the petitioner had moved this Court by filing Crl.OP.No.11399/2016 seeking to expedite the trial and this Court, vide order dated 06.06.2016, had directed the learned Chief Judicial Magistrate, Chengalpattu, Kanchipuram District, to dispose of the case as expeditiously as possible and despite the order being passed as early as on 06.06.2016, there is no progress in the trial, thereby warranting the petitioner to approach this Court once again by filing the above petition.

3 The learned Additional Public Prosecutor appearing for the respondent would submit that the trial has already commenced in this case and totally there are 32 witnesses and L.W.1 and L.W.2 have already been examined and the case stands posted on 25.07.2019 for examination of LWs.3 to 6 and summons have been issued to LW3 and LW4. He would further submit that the respondent is prepared to get along with the trial. However, in between, few petitions have been filed by the petitioner as well as the accused and thereby, there had been a delay.

4 This Court has considered the rival submissions and perused the materials placed before it.

5 Taking into consideration the submissions made and further taking into consideration the earlier order passed by this Court in Crl.OP.No.11399/2016 dated 06.06.2016, this Court directs the learned Chief Judicial Magistrate, Chengalpattu, Kanchipuram District, to expedite and complete the trial in Special CC.No.6/2015 as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

6 The petition stands ordered accordingly.

Sd/-
Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

AP

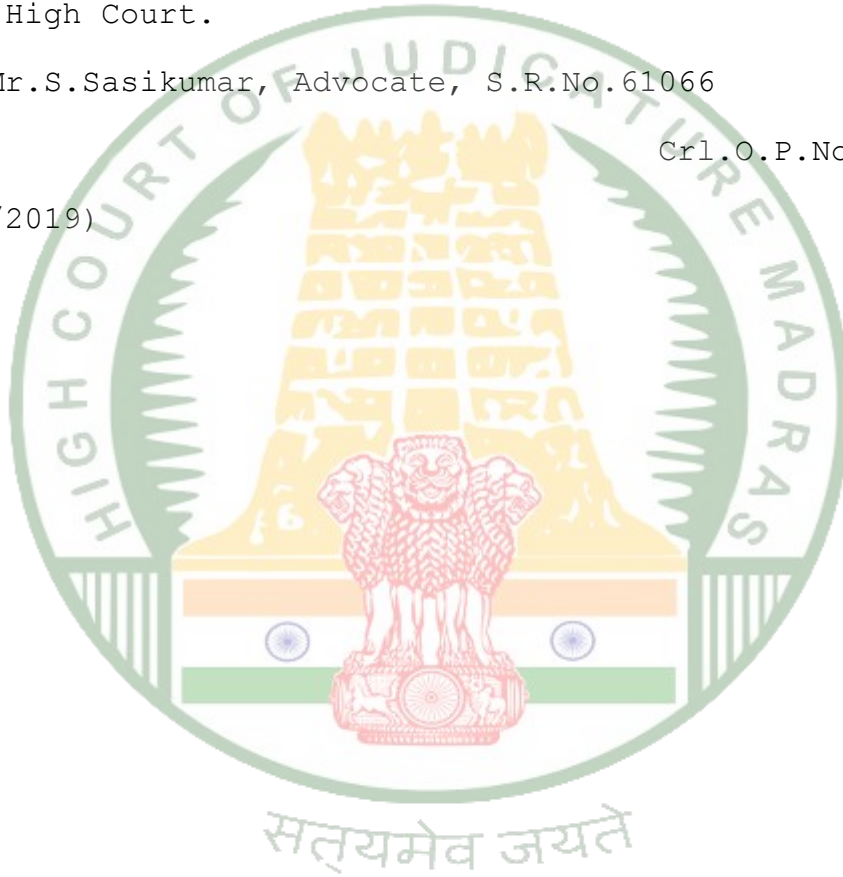
To

1. The Chief Judicial Magistrate,
Chengalpattu, Kancheepuram.
2. The Deputy Superintendent of Police
Vigilance and Anti Corruption
Kancheepuram
Kancheepuram District.
3. The Public Prosecutor,
Madras High Court.

+1 cc to Mr.S.Sasikumar, Advocate, S.R.No.61066

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PP(CO)
SSM(18/07/2019)



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