

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.1580 of 2017 and
Crl.M.P.No.1146 of 2017

N.Vibhushanan ... Petitioner/Defacto Complainant

in

The State of Tamil Nadu
Represented by the Sub-Inspector of Police,
Veeraganur Police Station,
Salem District. ... Respondent/Complainant

/Vs/

1.Chinnasamy
2.Suresh
3.Krishnan
4.Saravanan
5.Arunachalam
6.Chinnasamy
7.Manikandan
8.Raja
9.Rajendran ... Respondents/Accused

10.The Director of Prosecution,
No.5, IInd Floor,
Tamil Nadu Slum Clearance Board,
Kamaraj Salai, Chennai - 600 005.

11.The District Collector,
Salem District.,
Salem. ... Respondents

Prayer:

Criminal Original Petition filed under section 482 of Criminal Procedure Code, to issue a direction to replace the present prosecution counsel in the criminal case in S.C.No.295 of 2010 pending on the file of the Court of Assistant Sessions Judge, Athur, within a stipulated time.

For Petitioner : Mr.T.P.Prabakaran
For RR10, 11/
Complainant : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed by the petitioner/defacto complainant seeking for a direction to replace the Public Prosecutor in the criminal case in S.C.No.295 of 2010 on the file of the Assistant Sessions Judge, Athur.

2.The learned Additional Public Prosecutor submitted that the representation was given by the petitioner/defacto complainant on 08.06.2015 to the 10th Respondent / Director of Prosecution (TNSCB) with some allegations as against the Public Prosecutor who appeared in S.C.No.295 of 2010 on the file of the Assistant Sessions Judge, Athur. Now, the said Public Prosecutor has been changed and the case is pending for trial and conducting the case by another Assistant Public Prosecutor is of no avail.

3.Considering the above facts and circumstances of the case, the question of replacing the prosecution would not arise. However, considering the case of the year 2010, and the Trial Court is directed to complete the trial in S.C.No.295 of 2010 within a period of three months from the date of receipt of a copy of this order.

4.With the above direction, the Criminal Original Petition is disposed of. Consequently, connected Crl.M.P.No.1146 of 2017 is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

msm

To

1.The Assistant Sessions Judge, Athur,

2.The Director of Prosecution,
No.5, IInd Floor, Tamil Nadu Slum Clearance Board,
Kamaraj Salai, Chennai - 600 005.

3. The District Collector, Salem District., Salem.

4. The Sub-Inspector of Police,
Veeraganur Police Station,
Salem District.

5. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.T.P.Prabakaran, Advocate Sr.No.14799

Cr1.O.P.No.1580 of 2017

MG(CO)
CSL/18.03.2019



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