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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.R.C.No.1060 of 2019

And

Crl.M.P.Nos.14459 and 14460 of 2019

R.Saratha

... Petitioner

Vs.

State by:

The Deputy Superintendent of Police,
SPE/CBI/ACB/Chennai,
III Floor, Shastri Bhavan,
No.26, Haddows Road,
Nungambakkam, Chennai.

... Respondent

Prayer:Criminal Revision Case filed under Sections 397 r/w 401 of the Criminal Procedure Code seeking to set aside the order in Crl.M.P.No.4122 of 2015 in C.C.No.11 of 2015 dated 27.08.2019 on the file of XI Additional City Civil and Sessions Judge for CBI Cases, Chennai - 1.

For Petitioner : Mr.K.M.Ramesh
for Mr.J.Ramesh

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor
for CBI Cases

O R D E R

This criminal revision has been filed seeking to set aside the order in Crl.M.P.No.4122 of 2015 in C.C.No.11 of 2015 dated 27.08.2019 on the file of the learned XI Additional City Civil and Sessions Judge for CBI Cases, Chennai.

2.The petitioner is the retired Assistant General Manager of the Indian Overseas Bank. After her retirement, a criminal case was registered against the petitioner under Sections 120-B r/w 420, 471 of IPC and 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988 and the law enforcing agency filed charge sheet before the learned XI Additional Special Judge for CBI Cases, Chennai and the same was taken on file as C.C.No.11 of



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2015. Thereafter, the petitioner filed petition in CrI.M.P.No.4122 of 2015 under Section 239 of Cr.P.C., seeking to discharge her from the charges. The said petition was dismissed. Hence, the petitioner has filed this criminal revision.

3.The learned counsel appearing for the petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the Trial Court to expedite the trial and complete the same as early as possible. He would further submit that the appearance of the petitioner before the Trial Court may be dispensed with and would further submit that the petitioner is ready to appear as and when necessary arise.

4.The learned Special Public Prosecutor for CBI Cases concede to the request made by the learned counsel appearing for the petitioner.

5.In view of the above, this Court directs the learned XI Additional Special Judge for CBI Cases, Chennai, to expedite the trial in C.C.No.11 of 2015 and complete the same as early as possible. The appearance of the petitioner before the Trial Court is dispensed with. However, this order will not stand on the way of the Trial Court to insist for the appearance of the petitioner for receiving copies under Section 207 of Cr.P.C., framing of charges, questioning under Section 313 of Cr.P.C. and judgment and as and when the Trial Court feels it necessary.

6.With the above directions, this criminal revision is disposed of. Consequently, the connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

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To

1.The XI Additional City Civil and Sessions
Judge for CBI Cases, Chennai - 1.



2.The Deputy Superintendent of Police,
SPE/CBI/ACB/Chennai,
III Floor, Shastri Bhavan,
No.26, Haddows Road,
Nungambakkam, Chennai.

3.The Public Prosecutor
High Court, Madras 104.

+1 CC to Mr.J.Ramesh, Advocate sr 102137.

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And

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SPD(CO)
SP(09/01/2020)