

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No. 34303 of 2019

T.Kumar

...Petitioner

Vs.

The Inspector of Police,
Vigilance and Anti Corruption,
Vellore Detachment,
Vellore District.

...Respondent

Prayer: Petition filed under Section 482 of Cr.P.C., filed to direct the Chief Judicial Magistrate, Vellore herein to conduct a speedy trial in S.P.L.CC.No.6 of 2019 within a stipulated period of time deemed fit by this Hon'ble Court.

For Petitioner : Mr.A.Mohammed Ismail

For Respondent : Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

This criminal original petition has been filed to direct the Chief Judicial Magistrate, Vellore herein to conduct a speedy trial in S.P.L.CC.No.6 of 2019 within a stipulated period of time.

2. It is the case of the petitioner that the petitioner was implicated for the offences under Section 154 Cr.P.C., in Crime No. 07 of 2017 dated 09.08.2017 on the file of Vigilance & Anti Corruption, Vellore and charge sheeted in special case Spl.C.C.No. 06/2019 dated 12.09.2019.

3. It is stated that the petitioner was suspended vide suspension order dated 07.03.2018 by the Department Authority. Challenging the suspension order, petitioner filed a writ petition in W.P.(MD) No. 27244 of 2018 to revoke the order of the suspension dated 07.03.2018 and the same was allowed. Further, the respondent preferred an appeal against the order

passed in W.P.(MD).No. 27244 of 2018 in vide W.A.(MD)No. 1842 of 2019 and the same is disposed of, directing the appellant to review the suspension of the respondent and take a decision as to whether he should be placed on suspension indefinitely.

3. It is now submitted that the petitioner is aged about 56 years, still in suspension and the petitioner's retirement falls on 30.06.2021 and due to the pendency of the criminal case and the disciplinary proceedings against the petitioner, the petitioner is not receiving regular salary benefits which causes severe physical and mental agony to the petitioner as the petitioner is the bread winner of the family. Further, it is stated that there are 34 witness arrayed in the case against the petitioner and many of the witnesses are working and residing in the district of Vellore so that there is no chance for delay in the Trial and the petitioner also always ready and willing to co-operate with the trial.

4. Considering the reasons and the age of the petitioner, this criminal original petition is allowed, directing the Chief Judicial Magistrate Vellore herein to conduct the Trial in S.P.L.C.C.No. 6 of 2019 as expeditiously as possible. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Vigilance and Anti Corruption,
Vellore Detachment,
Vellore District.

2.The Chief Judicial Magistrate,
Vellore.

3.The Public Prosecutor,
Madras High Court.

Crl.O.P.No. 34303 of 2019

BS(CO)
CB(21/02/2020)