

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.15038 of 2020

V.Rajaraman

S/o.Vaithiyanatha Samy

...Petitioner

-Vs-

The Inspector of Police,
Vigilance and Anti-Corruption,
Vellore, Vellore District.
(Crime No.15 of 2010)

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to issue directions, directing the Chief Judicial Magistrate, Vellore, Vellore District to conclude the trial in Special case No.4 of 2013 within stipulated time.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.C.Iyyapparaj

Additional Public Prosecutor

O R D E R

The petitioner / accused, who is facing trial in S.C.No.4 of 2013 for offence under Sections 7 & 13 (2) r/w. 13 (1) (d) of the Prevention and Corruption Act, 1988, has filed this direction petition.

2. The contention of the petitioner is that though the case is of the year 2013, till date there is no progress. No substantial progress of trial except for examining three witnesses that to years before. He further submits that in this case F.I.R. registered in the year 2010 and charge sheet was filed in the year 2013 and now for the past seven years, the trial is pending and for past ten years, the petitioner is with the stigma of Criminal case and his future prospects are in peril.

3. Learned Additional Public Prosecutor submitted that in this case after completion of investigation, charge sheet was filed listing 11 witnesses and documents, out of 11 witnesses, L.W.s 2 to 4 have been examined as P.W.s 1 to 3. Thereafter, the

post of Chief Judicial Magistrate, Special Judge, Vellore district, fell vacant and later, the new Presiding Officer had taken over and the incumbent Presiding Officer was insisting for examination of L.W.1, the sanction witness and thereafter, to proceed further. The sanction witness could not be examined immediately and for examining of sanction witness, the case was periodically adjourned. In the meanwhile, the Presiding Officer was transferred and now there is no regular Special Judge posted and hence, it has been placed under learned Additional Special Judge, Vellore and his tenure gets over on 09.10.2020. On posting of new Presiding Officer, the learned Additional Public Prosecutor assured that the respondent would conduct trial, giving preference and complete the trial within a period of six months.

4. Considering the submissions made by either side and recording the undertaking given by the learned Additional Public Prosecutor to produce the witnesses without further delay and in no way prosecution will be a reason for delay. The Special Judge / Chief Judicial Magistrate, Vellore is directed to complete the trial within a stipulated time, preferably within a period of six (6) months.

5. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Special Judge,
Chief Judicial Magistrate,
Vellore.

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

3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.15038 of 2020

VM(CO)
RV(27/11/2020)