



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.15287 of 2021

Dr. R.Gunaseelan

... Petitioner

Versus

1. State by  
The Inspector of Police,  
CCB, Cyber Crime Cell,  
Chennai.

2. R.Jeyapragash

3. S.M.Balaji

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the XI Metropolitan Magistrate Court, Saidapet, Chennai to complete the trial in CC No.9238 of 2018 as expeditiously as possible.

For Petitioner : Mr. S. Ramachandran

For Respondents : A. Damodaran,  
Additional Public Prosecutor  
for R1

ORDER

This criminal Original Petition has been filed to direct the trial Court to complete the trial in CC No.9238 of 2018 as expeditiously as possible.

2. The contention of the petitioner is that the petitioner had lodged a complaint on 01.11.2013 and a case in CCB Crime No.30 of 2014 came to be registered on 11.01.2014 for the offences under Sections 500, 506(ii), 507 IPC and 66 A of IT Amendment Act 2008. Thereafter, on completion of investigation, charge sheet has been filed under Sections 506(i), 507 of IPC and Section 66 D of Information Technology Act and the same has been taken on file as CC.No.9238 of 2018. Thereafter, the case has not been progressed. Hence, the present petition.



3. The learned counsel for the petitioner would submit that there are only two accused in this case and they have been filing one petition or other for quashing as well as Revision. Both the accused herein had filed petitions in CrI.O.P.Nos.26924 of 2018 and 28725 of 2018 and this Court by an order dated 28.09.2020 dismissed both the petitions. In the said order, this Court specifically given a positive direction directing the petitioners/accused, namely, Jeyapragash, Balaji, to appear before the XI Metropolitan Magistrate, Saidapet, Chennai on 02.11.2020. Even thereafter, they have not appeared.

4. The learned Additional Public Prosecutor appearing for the first respondent police would submit that after 02.11.2020, the Courts are functioning with some restrictions due to Covid-19. Now, both the accused have been summoned to appear on 21.10.2021 and on that day, copies would be served to them. He would further submit that there are only 18 listed witnesses in this case and there will be no delay on the part of the prosecution and all the witnesses will be examined within 6 months

5. This Court considered the submissions made on either side and perused the materials available on records carefully.

6. Considering the facts and circumstances of the case, this Court directs the trial Court to complete the trial within a period of 6 months from the date of receipt of a copy of this order. In any event, if the accused herein adopt any dilapidated tactics, coercive action to be taken including keeping them under confinement.

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

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The XI Metropolitan Magistrate,  
Saidapet, Chennai



2. The Inspector of Police,  
CCB, Cyber Crime Cell,  
Chennai.

3. The Public Prosecutor,  
High Court, Madras.

CRL.O.P.No.15287 of 2021

PM(CO)  
K.RK. (13.10.2021)