



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.12.2021

Coram:

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

Criminal Original Petition No.17559 of 2021

P.K.Karthikeyan

.. Petitioner/Accused

/versus/

The Inspector of Police (V & AC)
Dharmapuri,
Dharmapuri District,
Spl.C.C.No.04 of 2019
in FIR No.04/AC/2017

.. Respondent/complainant

Prayer: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code praying to issue suitable order to speedy trial and direction to the Chief Judicial Magistrate/Special Judge, Special Court for trial of cases under Prevention of Corruption Act, Dharmapuri to dispose of the case in Special C.C.No.4 of 2019 as expeditiously as possible.

For Petitioner :Mr.Karuppasamy Pandiyan for
Mr.C.Palanisamy

For Respondent :Mr.C.E.Pratap,
Government Advocate(crl.side)

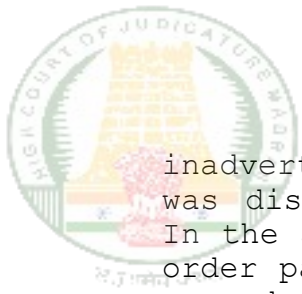
O R D E R

Earlier, when the matter was listed for hearing on 17.11.2021, Mr.C.Palanisamy, learned counsel appearing for the petitioner sought for an adjournment and the matter was adjourned. However, in the order, inadvertently stated that the criminal original petition was dismissed as withdrawn.

2.In such circumstances, the matter is listed today under the caption "For Being Mentioned" at the instance of the learned counsel appearing for the petitioner.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (crl.side) appearing for the respondent.

4.Considering the fact that the learned counsel appearing for the petitioner only sought for adjournment on that day, but



inadvertently it was stated that the criminal original petition was dismissed as withdrawn, it is only an inadvertent mistake. In the above circumstances, this Court is inclined to recall the order passed by this Court on 17.11.2021. Accordingly, the order passed by this Court dated 17.11.2021 in Crl.O.P.No.17559 of 2021 is recalled.

5.This Court, considered the submissions made by the learned counsel appearing for the petitioner and perused the materials available on record, inclined to dispose the matter on merits.

6.The learned counsel appearing for the petitioner submitted that the First Information Report has been registered in the year 2017. After investigation, final report has been filed and charges have also been framed against the accused and the matter has been adjourned periodically, without conducting trial. Hence, this Criminal Original Petition has been filed seeking a direction to dispose of the case in C.C.No.04.2019, pending on the file of the Chief Judicial Magistrate/Special Judge, Special Court for trial of cases under Prevention of Corruption Act, Dharmapuri, as expeditiously as possible.

7.The learned Government Advocate (crl.side), on instructions, reported that the case in C.C.No.4 of 2019 is pending on the file of the Chief Judicial Magistrate/Special Judge, Special Court for trial of cases under Prevention of Corruption Act, Dharmapuri. Now, the trial Court is conducting trial relating to 2017 cases and so far, trial has not been commenced for the year 2019 cases. In such circumstances, the learned Chief Judicial Magistrate/Special Judge, Special Court for trial of cases under Prevention of Corruption Act, Dharmapuri may be directed to take up the case in C.C.No.4 of 2019 and dispose of the same, within a period of one year.

8.Considering the above submissions, the learned Chief Judicial Magistrate/Special Judge, Special Court for trial of cases under Prevention of Corruption Act, Dharmapuri, is directed to conduct trial case in C.C.No.4 of 2019 and dispose of the same, within a period of one year, from the date of receipt of a copy of this order.

9.With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar



ari

To

WEB COPY

1.The Chief Judicial Magistrate/Special Judge,
Special Court for trial of cases under Prevention of
Corruption Act, Dharmapuri.

2.The Inspector of Police (V & AC), Dharmapuri,
Dharmapuri District.

3.The Public Prosecutor, High Court, Madras.

Cr1.O.P.No.17559 of 2021

NR(CO)
CT 28/01/2022