



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.18479 of 2021

Sakthivel,
S/o. Pavadairaj

...Petitioner

Vs

The Inspector of Police,
CBCID,
Puducherry,
(Crime No.12/2010)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned the Chief Judicial Magistrate, Puducherry to expedite the trial in C.C.No.812 of 2019 on the file of the Chief Judicial Magistrate, Puducherry and to fix time limit to dispose the above trial.

For Petitioner : Mr.S.Doraiswamy

For Respondent : Mr.G.V.Balamurugane
Public Prosecutor (Pudy.)

ORDER

(This case has been heard through video conference)

The petitioner/A2 in C.C.No.812 of 2019 facing prosecution for offence under Sections 12(1)(c) of Passport Act 1967, Section 14 r/w 3(2)(c) of Foreigner's Act 1946, and 420, 120 (B), 201 I.P.C r/w 34 I.P.C has filed this petition stating that the offence is of the year 2010, charge sheet came to be filed in the year 2016 and the case is pending trial from the year 2019 without any progress. Due to the pendency of the above case, the petitioner is unable to carry on his normal avocation and his entire life is put in lurch.

2.The learned Public Prosecutor (Puducherry) appearing for the respondent would submit that in this case, there are totally 11 accused and the Petitioner is A2. After registration of the complaint, detailed enquiry and investigation was conducted, since it involved several persons and several agencies. After collecting documents and getting sanction, charge sheet was filed in this case. The witnesses are ready and the trial



would be completed within a stipulated time, but for the absconded accused A5 and A10 from the date of releasing them on bail.

3. Considering the submissions and on perusal of the materials, it is seen that the occurrence is of the year 2010, the case is kept pending for nearly 13 years without any progress for one reason or other. In view of the same, the trial court viz, Chief Judicial Magistrate, Puducherry to take steps, split up the case, as regards the absconded accused A5 and A10 and also any other absconding accused and to proceed the case with the available accused and to complete the trial expeditiously preferably within a period of six months.

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

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

rpp/nr

To

1. The Inspector of Police,
CBCID, Puducherry.
2. The Public Prosecutor,
High Court, Madras.
3. The Chief Judicial Magistrate,
Puducherry.

+1cc to Mr.S.Doraiswamy, Advocate, S.R.No.53655

CRL.O.P.No.18479 of 2021

KG[co]
NSK 02/11/2021