



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2021

CORAMC :

THE HON'BLE MR.JUSTICE V. BHARATHIDASAN

CRL.O.P.NO.24031 OF 2021

S.Thiagarajan,
S/o. B.Sampath

...Petitioner

Versus

1.State represented by
The Inspector of Police,
Vigilance and Anti Corruption,
Head Quarters, Chennai-600 028.

2.Tr.K.Sivamani,
S/o. Karuppasamy

3.Tr.Parasmal H. Jain,
S/o. Hajarimal

4.Tr.Vijayaraj H. Jain,
S/o. Hajarimal

5.Tr.Madanlal H.Jain,
S/o. Hajarimal

6.Tmt.Anitha Devi,
W/o.Kamlesh Kumar

7.Tr.P.Rajendran,
S/o.Perumal Karuppan

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to transfer the C.C.No.6 of 2016 pending on the file of the Special Judge for Cases under Prevention of Corruption Act, Chennai to any other competent court & pass orders

For Petitioner : Mr.S.Sivakumar

For Respondent : Mr.C.E.Pratap,
Govt. Advocate (Crl. Side)



ORDER

This Criminal Original Petition has been filed seeking a direction to transfer the C.C.No.6 of 2016, pending on the file of Special Judge for cases under Prevention of Corruption Act, Chennai to any other competent court.

2. The main contention of the petitioner in the petition is that, even though the final report was filed and the matter was taken cognizance in the year 2016, for the past six years, the trial court has not taken any steps to proceed with the trial. The petitioner is regularly appearing before the court for the past six years, and there is no progress. Hence, the present petition has been filed to transfer the criminal case.

3. Earlier, this Court by an order dated 10.12.2021 called for report from the learned Special Judge for cases under Prevention of Corruption Act. Today, report of learned Special Judge placed before this Court, wherein he has given detailed explanation explaining circumstances for the delay. From the perusal of explanation, it is seen that at the initial stage, the petitioner himself did not appear for several occasions, only after issuance of warrant, he was present and he was examined. From the report, it could also be seen that out of 38 witnesses, so far 28 witnesses were examined. The learned Special Judge has further submitted that he has taken all necessary steps to complete the trial within short span of time preferably within a period of three months.

4. Considering the above report, as the trial already commenced, at this stage, the case need not be transferred to any other court. The learned Special Judge for cases under Prevention of Corruption Act is directed to proceed with the trial and complete the same on or before 31.03.2022. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS-III)

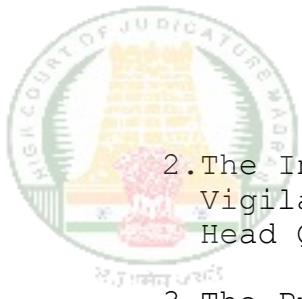
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Sub Assistant Registrar

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To

1.The Special Judge
for cases under Prevention of Corruption Act,
Chennai.



2.The Inspector of Police,
Vigilance and Anti Corruption,
Head Quarters, Chennai-600 028.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.sivakumar, Advocate Sr.No.69140

CRL.O.P.No.24031 of 2021

SVI (CO)
RVM(11/01/2022)