



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2022

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3100 of 2022

N.Seethapathy

...Petitioner

Vs.

1. The Commissioner of Police,
Vepery, Chennai-7.

2.The Inspector of Police,
Central Crime Branch,
(Economic Office Wing),
Vepery, Chennai-7,
(Crime No.188/2015)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to issue a direction for an early disposal of the criminal case in C.C.No.584/2017 pending on the file of the Judicial Magistrate No.1, Alandur.

For Petitioner : Mr.S.Vijayakumar

For Respondent : Mr.V.Meganathan
Government Advocate (crl side)

ORDER

This petition has been filed to issue a direction for an early disposal of the criminal case in C.C.No.584/2017 pending on the file of the Judicial Magistrate No.1, Alandur.

2.The learned counsel appearing for the petitioner would submit that the petitioner is a senior citizen. On the complaint given by him, a case in Crime No.188 of 2015 was registered by the second respondent for the offences under Sections 409, 420, 468, 471 read with sections 320 and 109 I.P.C. During investigation, the first accused and the second accused were arrested and the third accused was at large.The



respondents have completed the investigation and filed final report and the case was taken up for trial in C.C.No.584 of 2017 and in the final report, the third accused was shown as absconding accused. The cognizance was taken up and the learned trial Judge has issued process on 08.08.2017. He would further submit that the accused had approached this Court seeking for quash in CrI.O.P.No.6656 of 2018 and there was stay of proceedings for a brief period and CrI.O.P.No.6656 of 2018 was dismissed on 02.03.2020 and thereafter, the case is pending on account of service pending non bailable warrant. Learned counsel would further submit that the petitioner is aged senior citizen aged 65 years. Since the third accused is absconding, there was no progress in trial and he would seek for a direction to the learned Judicial Magistrate to split up the case and complete the trial at the earliest.

3.The learned Government Advocate (crl side) appearing for the respondent police would submit that the third accused is residing at U.S.A and the respondents are taking steps to execute the non bailable warrant. He would further submit that the first accused is father of the third accused.

4. Heard the learned counsels on either side and perused the materials on record.

5.Taking into consideration the fact that the petitioner/defacto complainant is a senior citizen and the case is pending from the year 2015, a direction is issued to the learned Judicial Magistrate I, Alandur, to split up the case against the absconding third accused and complete the trial in respect of the available accused as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of this order. Accordingly, the Criminal Original Petition stands disposed of.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

vri/shk
To

1. The Commissioner of Police,
Vepery, Chennai-7.



2.The Inspector of Police,
Central Crime Branch,
(Economic Office Wing),
Vepery, Chennai-7,
(Crime No.188/2015)

3.The Judicial Magistrate No.1,
Alandur.

4.The Public Prosecutor,
Madras High Court.

+1cc to Mr.S.Vijayakumar, Advocate Sr.9354

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srg 16/03/2022