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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.4789 of 2022

Suresh

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Race Course Police Station,
Coimbatore District.
(Crime No.28 of 2019)

...Respondent

PRAYER: The Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to direct learned IV additional District Judge and Sessions Judge, Coimbatore to expedite the Trial in S.C.No.105 of 2019 in Crime No.28 of 2019 within the time frame fixed by this Court.

For Petitioner : Mr.R.Thamarai Selvan
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed seeking for a direction to the learned IV Additional District and Sessions Judge, Coimbatore to expedite the Trial in S.C.No.105 of 2019 in Crime No.28 of 2019 within the time frame fixed by this Court.

2. The learned counsel for the petitioner would submit that the petitioner is a sole accused in S.C.No.105 of 2019 on the file of learned IV additional District Judge and Sessions Judge, Coimbatore. He would submit that the petitioner has not been granted bail so far and he is languishing in Jail and his continuous detention amounts to pre-trial conviction. He would submit that right of speedy trial is a constitutional guarantee. Thereby, seeking for a direction to the concerned Judge to complete the Trial as expeditiously as possible.



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3. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor would submit that the petitioner is in Jail. There are 32 witnesses in this case and the case stands posted on 03.03.2022 for examination of PW1 to PW4.

4. Heard both sides and perused the materials available on record.

5. Considering the submissions of the learned counsel, right of speedy trial is a constitutional guarantee granted to the accused. Moreover, in this case the petitioner is in custody from the date of arrest.

6. In view of the above, direction is issued to the learned IV Additional District and Sessions Judge, Coimbatore to complete the trial as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this Order.

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

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

shk/sai
To

1. The IV Additional District and Sessions Judge
Coimbatore

2.The Inspector of Police,
Race Course Police Station,
Coimbatore District.
Crime No.28 of 2019.

3.The Public Prosecutor,
High Court of Madras.

+1 CC to Mr.R.Thamarai Selvan, Advocate sr 14076.

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PMK (CO)
SP (21/03/2022)