



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.8939 of 2022

Kavitha Devi

... Petitioner

Vs

The State rep. by
Inspector of Police,
Central Crime Branch Team-1,
Vepery, Chennai.

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate, Tambaram, Chengalpattu-District to expedite the trial in C.C.No.1201 of 2011 and dispose the case within stipulated time.

For Petitioner : Mr.I.Periaswamy

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate, Tambaram, Chengalpattu-District to expedite the trial in C.C.No.1201 of 2011 and dispose of the same within stipulated time.

2. The learned Counsel for the petitioner would submit that the petitioner is de-facto complainant in Crime No.50 of 2011 pending trial before the Judicial Magistrate, Tambaram in C.C.No.1201 of 2011 for the offences under Sections 420, 468, 47, 506(i) R/w 34 of IPC. The case has been pending on the file of the learned Judicial Magistrate for the past 10 years. There are totally 18 witnesses in this case and the petitioner has examined himself as PW1 and LW2 was examined as PW2 on 14.11.2018. Thereafter, there is no progress in the trial and the accused to delay trial were adopting a method by absenting one after other. They are purposefully and willingly taking every endeavour to delay the trial. The petitioner has been put to severe hardship, thereby, the present petition has been filed seeking for a direction to the learned Judicial Magistrate to



dispose of the same within a stipulated period.

3.Learned Additional Public Prosecutor would submit that there are 8 accused in this case. He would further submit that the case has been taking turns and not regularly appearing before the Court below and evidence of PW1 and PW2 were closed as early as on 14.11.2018 itself.

4.Heard both the counsels and perused the materials available on record including extract of E-Court services.

5.The Crime number is of the year 2011 and the final report has been filed which has been taken on file in C.C.No.1201 of 2011 and the case has not come to a logical end, despite the lapse of almost 11 years. It is submitted that the accused are taking turns, thereby the trial has been delayed. The learned Trial Judge is directed to ensure that all the accused appear before the Court and the trial is expedited. The learned trial Judge is directed to complete the trial as expeditiously as possible, preferably within a period of 6 months from the date of next hearing.

6.With the above directions, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

vkrr/nti

To

1. The Judicial Magistrate,
Tambaram, Chengalpattu-District
2. The Inspector of Police,
Central Crime Branch Team-1,
Vepery, Chennai.
- 3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.I.Periaswamy, Advocate SR.No.27591

Cr1.O.P.No.8879of 2022

SKM(CO)
GMY(04/05/2022)