



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.9102 of 2022

A.Jaffarulla Khan

... Petitioner

Vs.

The State represented by
Inspector of Police,
Central Crime Branch, EDF-III,
Chennai.
(Crime No.29/2019)

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate No.I, Poonamalle to expedite the trial on its file in C.C.No.130 of 2021, within a time frame fixed by this Court.

For Petitioner : Mr.M.Govindaraju

For Respondent : Mr.V.Meganathan,
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the learned Judicial Magistrate No.I, Poonamalle to expedite the trial on its file in C.C.No.130 of 2021.

2. Learned counsel for the petitioner would submit that the petitioner is the senior citizen, aged about 71 years. The first accused along with his associates had offered to secure a Post Graduate medical seat in Shri Ramachandra Medical College, Porur, Chennai for his daughter-in-law and together they have collected an amount of Rs.1,72,00,000/- on various dates. However, they dragged to secure the seat. Later, the petitioner came to know that these accused are no way connected with the Medical College. In order to grab money from the petitioner, they have cheated him. Based on the complaint given by the petitioner, a case in Crime No.29 of 2019 was registered by the respondent for the offence under Sections 406, 420, 506(i) of IPC.



3. Learned counsel would further submit that since, the respondent had not filed the final report, the petitioner had filed Crl.O.P.No.5853 of 20221 seeking for a direction to the respondent to file the final report. Pursuant to which, the respondent had filed the final report in C.C.No. 130 of 2021 before the Judicial Magistrate I Poonamalle on 16.03.2021. He would submit that the case was taken up on file on 28.07.2021 and it was posted to 31.08.2021 for appearance and that the accused had appeared on 31.08.2021. Subsequently, the case was posted for questioning on 07.09.2021. Thereafter, the accused had taken continuous adjournments and did not appear before the Court by preventing the learned Trial Judge from framing charges against them. Learned counsel would further submit that the mother of the first accused is a practicing Advocate and she has attempted to put spokes to the speedy trail. The petitioner is already aged about 71 years. The accused are trying to drag on the proceedings.

4. Mr.V.Meganathan, learned Government Advocate (crl.side) would submit that the accused have been absenting one after another and that one of the accused has filed application under 239 of Cr.P.C to discharge from the case and the discharge application is pending on the file of the learned Trial Judge.

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

6. In view of the above, direction is issued to the learned Trial Judge to dispose of the case in C.C.No.130 of 2021 as expeditiously as possible preferably, within period of six months from the date of receipt of a copy of this order taking into consideration the merits of the case.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

shk/sai



To

1. The Judicial Magistrate I,
Poonamalle

2. The Inspector of Police,
Central Crime Branch, EDF-III,
Chennai.

3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.M.Govindaraju, Advocate, S.R.No.27465

Cr1.O.P.No.9102 of 2022

RLD[co]
NSK 11/05/2022