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Crl.O.P.Nos.19004 & 20850 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2022

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THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.19004 & 20850 of 2022

and

Crl.MP.Nos.12593 & 13800 of 2022

S.Thiagarajan (M/A) 49,
S/o.B.Sampath,
No.1/120, Annapillai Street,
Sowcarpet, Chennai 600 079.

... Petitioner in both Petitions

Vs.

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

2.K.Sivamani (A1)
S/o.Karuppasamy,
Formerly Inspector of Police (Crime)
C-2, Elephant Gate P.S., Chennai.

3.Parasmal H.Jain (A2)
S/o.Hajarimal,
Old No.2, New No.26, Ayya Mudali Street,
1st Floor, Kothari House,
Sowcarpet, Chennai 79.

4.Vijayaraj H.Jain (A3)
S/o.Hajarimal,
No.39, Perumal Kovil Garden Street,
Sowcarpet, Chennai 79.

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Crl.O.P.Nos.19004 & 20850 of 2022

5.Madanlal H.Jain (A4)

S/o.Hajarimal,

No.177, Govindappa Naicken Street,
Sowcarpet, Chennai 79.

6.Anitha Devi (A5)

W/o.Kamlesh Kumar,

No.18/1, 3rd Floor, Mangappan Street,
Sowcarpet, Chennai 79.

7.P.Rajendran (A6)

S/o.Perumal Karuppan,

Formerly Sub-Inspector of Police,

C-2, Elephant Gate P.S.,

Chennai.

... Respondents in both Petitions

PRAYER in Crl.OP.No.19004 of 2022 : This Criminal Original Petition is filed under Section 482 of Cr.P.C., to set aside the order in Crl.M.P.No.243 of 2022 dated 22.04.2022 on the file of the learned Special Court for the Cases under Prevention of Corruption Act.

PRAYER in Crl.OP.No.20850 of 2022 : This Criminal Original Petition is filed under Section 482 of Cr.P.C., to withdraw the C.C.No.6 of 2016 pending on the file of the Special Court for the Cases under Prevention of Corruption Act, Chennai and to transfer the same to any other competent Court at nearby districts.

For Petitioner : Mr.R.Sathish Kumar
in both Petitions

For Respondents : Mr.S.Udaya Kumar (for R1)
in both Petitions Government Advocate (Crl. Side)
Mr.M.C.Swamy (for R2)



Crl.O.P.Nos.19004 & 20850 of 2022

WEB COPY

COMMON ORDER

Read this in conjunction with and in continuation of earlier proceedings made in previous listing on 13.09.2022.

2.It is submitted that after the above said order dated 13.09.2022, the case was taken up before the trial Court on 20.09.2022 and based on the instructions given by this Court to provide necessary protection to the witnesses to dispel the apprehension and fear of Petitioner and LW4, who is his brother, further chief examination of PW5 was done and four documents were sought to be filed on 20.09.2022. But the same was produced only on 21.09.2022 and so documents Ex.P.34 to Ex.P.37 marked on the cross examination of PW5 by the learned defence counsel on 21.09.2022 and the matter was adjourned to 22.09.2022 for examination LW4 as PW30 viz., S.Prakash, brother of Petitioner/PW5. PW30's chief examination done on 22.09.2022 and for cross examination of PW30, the matter was adjourned to 23.09.2022. On 23.09.2022, cross examination of PW30 carried out by the learned defence counsel and PW30 cross examination continued and completed on 26.09.2022. Thereafter, the case was posted on 01.11.2022 for



Crl.O.P.Nos.19004 & 20850 of 2022

examination of Investigating Officer.

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3.It is seen that examination of PW5 and PW30 was conducted in a conducive manner, they also deposed freely. Now the Investigating Officer has to be examined.

4.Recording the above said proceedings, these Criminal Original Petitions are disposed of. The learned counsel for the Petitioner insisted for a direction to complete the trial within a stipulated period. In view of the same, trial Court is directed to complete the trial as expeditiously as possible. Consequently, connected Miscellaneous Petitions are closed.

01.11.2022

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Index: Yes/No

Internet: Yes/No

Speaking order/Non-speaking order



Crl.O.P.Nos.19004 & 20850 of 2022

WEB COPY

To

1.The learned Special Judge,
Special Court for the Cases
under Prevention of Corruption Act,
Chennai.

2.The Public Prosecutor,
High Court of Madras.
Chennai.



WEB COPY



Crl.O.P.Nos.19004 & 20850 of 2022

M.NIRMAL KUMAR, J.

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Crl.O.P.Nos.19004 & 20850 of 2022

Dated: 01.11.2022