



Crl.O.P.(MD) No.559 of 2022/

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.559 of 2022

Asha Nagarajan @ Asha Nagamurugan ...Petitioner / Accused No.7

vs

The State, represented by,
The Inspector of Police,
S.S.Colony Police Station,
Madurai City.
(Crime No.2361 of 2020)

...Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,
praying to direct the learned I Additional District and Sessions Court for EC
and NDPS Act Cases, Madurai, to complete the trial in C.C.No.231 to 2021
within a stipulated time as fixed by this Court.

For Petitioners : Mr. M.Jegadeeshpandian

For Respondent : M/s. R.M.Anbunithi,
Additional Public Prosecutor (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed by the seventh accused in C.C.No.231 of 2021, to direct the learned I Additional District and Sessions Court for EC and NDPS Act Cases, Madurai, to complete the trial in C.C.No.231 to 2021 within a stipulated time as fixed by this Court.

2. Accordingly, the learned Single Judge of this Court vide order dated 08.02.2022, had directed the learned I Additional District and Sessions Court for EC and NDPS Act Cases, Madurai, to dispose of the case in C.C.No.231 of 2021 within a period of six months from the date of receipt of copy of this order.

3. Today, the case had been posted under caption for “extension of time”. As per the letter of the learned I Additional District and Sessions Court for EC and NDPS Act Cases, Madurai, in D.No.266 dated 28.10.2022, the copy of the order passed by the learned Single Judge was received on 08.03.2022. Non Bailable Warrant was pending against A1. Therefore, the case was split up against A1 and the case proceeded for the



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trial against the other person to comply the direction of this Court. On 27.06.2022, the Inspector of Police had filed requisition for issue P.T. Warrant against A1 since he was in judicial custody in another case and this Court clubbed both cases and posted for furnishing copies to the accused persons. On 07.07.2022, A1 was produced before this Court on P.T. Warrant and copies were furnished to him. Now, all the accused are in judicial custody and the charges were framed against the accused on 20.09.2022. Since, the accused had lodged in various Prisons and the learned I Additional District and Sessions Court for EC and NDPS Act Cases, Madurai, is unable to proceed with the trial.

4. In the light of the direction issued by this Court, the learned I Additional District and Sessions Court for EC and NDPS Act Cases, Madurai, is directed to issue order to the Investigation Officer or Station House Officer of the Police Station concerned and also to the Prison Authority to lodge all the accused in Prison at Madurai.

5. In the light of the order passed in CrI.O.P(MD) No.559 of 2022, dated 08.02.2022, the Police Officials will be able to produce all the



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accused before the Court and also he shall prevail upon the accused who are on bail. If any of the accused is absconding, the bail will be cancelled and they will be detained in Prison till the case end up in pronouncing judgment. Since, in the NDPS Act case, maximum ten witnesses will be available, they can be examined in fifteen days on a day to day basis commencing from Monday to Friday.

6. The learned I Additional District and Sessions Court for EC and NDPS Act Cases, Madurai, is granted three months time to complete the trial and report compliance to this Court after completion of the trial proceedings.

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

16.11.2022

Index:Yes/no
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To

1. The learned I Additional District and Sessions Court for EC and NDPS Act Cases, Madurai,
2. The Inspector of Police, S.S.Colony Police Station, Madurai City.
3. The Additional Public Prosecutor (Crl. Side), Madurai Bench of Madras High Court, Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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