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CrI.O.P.No.323 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.323 of 2023

U.R.C.Rasu @ Chandrasekaran

... Petitioner

Vs.

The State rep by,
Deputy Superintendent of Police,
Crime Branch CID,
Coimbatore District.
(Crime No.671 of 2008)

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to issue direction to dispose of the S.C.No.26 of 2010 pending on the file of the learned Principal District and Sessions Judge, Erode as expeditiously as possible within a period of stipulated time by appreciating the above said facts and circumstances.

For Petitioner	: Mr.M.Guruprasad
For Respondents	: Mr.S.Santhosh, Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed to issue direction to dispose of the S.C.No.26 of 2010 pending on the file of the learned Principal District and Sessions Judge, Erode as expeditiously as possible within a period of stipulated time by appreciating the above said facts and circumstances.

2. The learned counsel for the petitioner submitted that the case in S.C.No.26 of 2010 is pending from the year 2010 and for the last 12 years, the accused are regularly appearing before the Court. However, there is no proper conduct of trial and disposal of the case is getting delay. Hence, the present criminal original petition has been filed.

3. The learned Government Advocate (Criminal side) submitted that out of 60 witnesses 32 witnesses had already been examined and remaining witnesses will be examined in due course.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) for the respondent.



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5. From the submissions made by the learned counsel for the both sides this Court finds that all the accused are almost regularly appearing before the Court. When they are regularly appearing before the Court, all the necessary steps should be taken by the learned trial Judge for summoning the witnesses at a stretch and dispose the case. If non-bailable warrant is pending against any accused, the learned trial Judge is directed to take effective steps for executing the same. The respondent police is also directed to take effective steps for executing the non-bailable warrant. The learned trial Judge may also consider canceling the bail granted to the accused against whom the non-bailable warrant is pending and a FIR can also be registered under Section 229A IPC.

6. Therefore, taking into consideration all the relevant factors and the fact that this case is pending from the year 2010, this Court directs the learned trial Judge to dispose of the case as expeditiously as possible within a period of three months from the date of receipt of copy of this order.

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



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disposed of.

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06.01.2023

nsa

To

- 1.The Principal District and Sessions Judge,
Erode.
- 2.The Superintendent of Police,
Salem District,
Office at Nethimedu,
Salem, Salem District.
- 3.The Inspector of Police,
Valapadi Police Station,
Attur Main Road, Valapady,
Salem District.
- 4.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN,J.

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