



CrI.O.P.No.7625 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2023

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THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.7625 of 2023

V.Rajaraman

... Petitioner

Vs

The State rep by
The Inspector of Police,
Vigilance and Anti Corruption,
Vellore, Vellore District.

(Crime No.15 of 2010)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to issue a direction to the learned Chief Judicial Magistrate, Vellore to conclude the trial in day-to-day basis in Special Case No.4 of 2013 within stipulated time as fixed by this Court.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.N.S.Suganthan
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed seeking direction to the learned Chief Judicial Magistrate, Vellore District to conclude the trial in day-to-day basis in Special Case No.4 of 2013, within the stipulated time as fixed by this Court.

2.Ms.R.Hemalatha, learned counsel representing for the petitioner submitted that the petitioner is a sole accused facing trial in S.C.No.4 of 2013 on the file of the Chief Judicial Magistrate, Vellore for the offences under Sections 7 and 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988. She further submitted that the petitioner had earlier approached this Court seeking for a similar direction in Crl.O.P.No.15038 of 2020 and this Court, by order dated 28.09.2020, had directed the learned Magistrate concerned to complete the trial within a stipulate time, preferably within a period of six months. She further submitted that despite the order being passed on 28.09.2020, the case is still pending for the past three years. She further submitted that the petitioner, who is a Government Servant, is now placed under suspension and due to pendency of the case, he is unable to join the duty. Hence, she seeks a direction may be issued to the learned Magistrate concerned.

3.The learned Government Advocate (crl.side) appearing for the



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respondent Police submitted that it is true that this Court, by order dated 28.09.2020, had directed the learned Magistrate concerned to complete the trial within a stipulate time, preferably within a period of six months. He further submitted that due to pandemic situation, there was some delay. He further submitted that the prosecution has completed examining the witnesses and the case as of now stands posted to 25.04.2023 for examination of D.W.1. He would further submit that as on today, the Court is vacant and that is the reason for delay and the prosecution is not responsible for delay. Hence, he prays for dismissal of the petition.

4. Heard the learned counsel representing for the petitioner and learned Government Advocate (crl.side) and perused the materials available on record.

5.This Court, by order dated 28.09.2020, had directed the learned Magistrate concerned to complete the trial within a stipulate time, preferably within a period of six months. However, on account of pandemic, there was some delay and as per the version of the prosecution, the prosecution witnesses have been examined and the case now stands posted for examination of D.W.1 and that the post of the Judge is vacant.



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6.In view of the above, a direction is issued to the learned Chief Judicial Magistrate, Vellore, who assumes the charge, to complete the trial as expeditiously as possible, preferably within a period of three months from the date on which the learned Magistrate takes charge.

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

11.04.2023

Index : Yes/No

Neutral Citation : Yes/No

vkrr

To

1. The Chief Judicial Magistrate,
Vellore.
2. The Inspector of Police,
Vigilance and Anti Corruption,
Vellore, Vellore District.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

vkr

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