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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17752 of 2023

1.Lakshmi

2.Venkatesan

.. Petitioners

Vs.

The Inspector of Police,
CCB,Team IV,
Vepery,Chennai
(Crime No.372 of 2013)

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases, At Egmore, Chennai to conduct the trial as expeditiously as possible and to conclude the trial within the time prescribed by this Court.

For Petitioner

: Mr.R.Ram Babu

For Respondents

: Mr.A.Damodaran

Additional Public Prosecutor

ORDER

This petition has been filed for a direction to the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases at Egmore, Chennai to dispose of the C.C.No.5041 of 2018 within a time frame fixed by this Court.



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2.The learned Additional Public Prosecutor submitted that the petitioners (A2 and A3) filed discharge petition before the Court below and the same is pending. In view of the same, the Court below has not framed charges in this case till now.

3.The learned counsel for the petitioner submitted that there was an earlier order passed by this Court in Crl.O.P.No.22192 of 2019 directing the Court below to dispose of the case in six months. The learned counsel further submitted that the petitioners will withdraw the discharge petition during the next date of hearing and consequently, requested this Court to fix a time frame for the completion of the trial. It is brought to the notice of this Court that the matter stands posted on 16.08.2023.

4.Taking into consideration the submissions made on either side, there shall be a direction to the petitioner to withdraw the discharge petition during the next date of hearing on 16.08.2023. Thereafter, the Court below shall proceed further to frame the charges against the accused persons and proceed with the trial. The case is of the year 2018 and hence, there shall be a direction to the Court below to complete the proceeding in C.C.No.5041 of 2018, within a period of four months from the date of receipt of copy of this order. The trial shall be conducted on a day to day basis in accordance with the guidelines given by Hon'ble Supreme Court reported in *Vinod Kumar Vs State of*



Punjab [2015 (1) MLJ (Crl) 288 SC]. If the accused persons adopt any dilatory tactics, it is open to the trial Court to insist upon their presence and remand them to custody as per the judgment of the Hon'ble Supreme Court in **STATE OF UTTAR PRADESH VS. SHAMBHU NATH SINGH (JT 2001 (4) SC 3191)**.

5.This criminal original petition is disposed of in the above terms.

08.08.2023

Index : Yes/No
ssr

To

- 1.The Metropolitan Magistrate for Exclusive Trial of CCB Cases,
Egmore, Chennai
- 2.The Inspector of Police,
CCB,Team IV,
Vepery,Chennai (Crime No.372 of 2013)
- 3.The Public Prosecutor
High Court of Madras,
Madras.

N.ANAND VENKATESH, J

ssr



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