



Crl.O.P.(MD) No.14443 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE K.K. RAMAKRISHNAN

Crl.O.P.(MD)No.14443 of 2023

K.Ramaraj

.. Petitioner/Accused

Vs

The State rep., by
The Inspector of Police,
Vigilance and Anticorruption,
Virudhunagar District.
Crime No.6 of 2013.

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Special Judge, Special Court for Prevention of Corruption Act Cases, Srivilliputhur in Spl.C.C.No.13 of 2014 to expedite the investigation within a time frame fixed by this Court.

For Petitioner : Ms.S.Chamundi Bose

For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor



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ORDER

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The Criminal Original Petition has been filed by the petitioner to issue a direction to the learned Special Judge, Special Court for Prevention of Corruption Act Cases, Srivilliputhur in Spl.C.C.No.13 of 2014 to expedite the investigation within the time frame stipulated by this Court.

2. The petitioner is arrayed as accused in Spl.C.C.No.13 of 2014 on the file of the learned Special Judge, Special Court for Prevention of Corruption Act Cases, Srivilliputhur. On complaint, the respondent police registered a case against the petitioner for the offence under Section 102(1) of the Criminal Procedure Code. After completion of the investigation, the respondent police filed the final report before the Special Court and the same was taken on file in Spl.C.C.No.13 of 2014 on the file of the learned Special Judge, Special Court for Prevention of Corruption Act Cases, Srivilliputhur and the same is pending.

3. This Court called the report from the Special Court regarding the pendency of the case as well as the stage of the case.



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4. The learned Special Judge submitted a communication in this regard stated that out of 25 witnesses, 18 witnesses were examined and the remaining witnesses ie., LW3, LW.4, LW.22, LW.23, LW.24 and LW.25 are yet to be examined and LW.10 died and hence dispensed with. She further submitted that summons has been issued to LW.22 and LW.23 and the case is posted on 01.09.2023. In the report, the learned Special Judge also stated that since the learned Special Additional Public Prosecutor posted for the Special Court was retired on 31.05.2023, hence, the learned Special Additional Public Prosecutor from Tirunelveli is placed in-charge to conduct the cases before this Special Court. She further submitted that the in-charge Prosecutor appeared only once in a week. She also stated that as on date 66 special cases are pending before the same Court. Even as per the report, the petitioner's case is the oldest case before the same Court. Hence, this Court is inclined to issue a direction to complete the trial within a specified period.

5. Accordingly, the learned Special Judge, Special Court for Prevention of Corruption Act Cases, Srivilliputhur, is directed to complete the trial in Spl.C.C.No.13 of 2014 within a period of two months from 01.09.2023 onwards.



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WEB COPY 6. With the above direction, this Criminal Original Petition is disposed of.

18.08.2023

NCC :Yes/No
Internet :Yes/No
Index :Yes/No
PJJ

Note: Issue order copy on 04.09.2023.

To

1.The Special Judge,
Special Court for Prevention of Corruption Act Cases,
Srivilliputhur.

2. The Inspector of Police,
Vigilance and Anticorruption,
Virudhunagar District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

PJL

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