



WEB COPY



CrI.O.P.No.4983 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.4983 of 2024
and CrI.M.P.Nos.3689 & 3868 of 2024

Vimalsan Prabhu

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Chennai City - IV Detachment,
Alandur, Chennai - 16.
(Crime No.03 of 2020)

2. M.Mayilvelan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, pleaded to call for the records and to quash the proceedings in Spl.C.C.No.4 of 2023 on the file of the learned Chief Judicial Magistrate, Chengalpet against the petitioner.

For Petitioner	:	Mr.M.Aravind Subramanyam for Mr.N.Chandran
For R1	:	Mr.S.Santhosh Government Advocate (Criminal Side)



Crl.O.P.No.4983 of 2024

WEB COPY

ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings in Spl.C.C.No.4 of 2023 pending on the file of the learned Chief Judicial Magistrate, Chengalpet.

2. Learned counsel for the petitioner submitted that the petitioner was working as an Office Assistant in the office of the Sub Registrar at Thiruporur. Based on the complaint given by the second respondent, the first respondent Police had registered a case in Crime No.02/AC/2021/CC.II against the petitioner and others. He further submitted that though there are several arguable grounds available in this case, he is not pressing the application for quashing and he would only pray that a direction may be issued to the learned trial Judge to complete the trial within a specified period.

3. Learned Government Advocate (Crl.Side) submitted that the case is of the year 2023 and there are 26 witnesses listed in the charge sheet and there are 48 documents and certain material objects. He further submitted that several



CrI.O.P.No.4983 of 2024

other cases are also pending on the file of the trial Court and in such circumstances, if a specific period is fixed, it would be difficult for the prosecution, however, the respondent Police are ready to get along with the trial.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the first respondent and perused the materials available on record.

5. The learned counsel for the petitioner while withdrawing the application had sought for a direction to the trial Court to complete the trial within a specified period. In this regard, this Court is reminded that the Hon'ble Apex Court in a recent decision in *High Court Bar Association, Allahabad vs. State of U.P & Others* in *Criminal Appeal No.3589 of 2023* dated 29.02.2024 had discussed about the direction issued by Constitutional Courts to decide pending cases in a time bound manner and had concluded that, Constitutional Courts, in ordinary course, should refrain from fixing a time bound schedule for the disposal of cases pending before any other courts. Constitutional courts may issue directions for the time bound disposal of cases only in exceptional



CrI.O.P.No.4983 of 2024

circumstances. The issue of prioritizing cases should be best left to the decision of the concerned courts.

6. In view of the submission made by the learned counsel for the petitioner, the Criminal Original Petition stands dismissed. So far as the direction sought for completion of trial within a stipulated period, it may not be appropriate to fix any outer time limit for completion of trial. However, taking into consideration the submission of the learned Government Advocate (Criminal Side) that the respondent is ready to get alongwith the trial, it is made clear that the trial shall be completed without any abnormal delay. Consequently, the connected miscellaneous petitions are also closed.

13.03.2024

Index : Yes / No
Speaking / Non-speaking
Neutral Citation : Yes / No
ham



CrI.O.P.No.4983 of 2024

To
WEB COPY

1. The Chief Judicial Magistrate, Chengalpet.
2. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Chennai City - IV Detachment,
Alandur, Chennai – 16.
3. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.4983 of 2024

A.D.JAGADISH CHANDIRA, J.

ham.

***Crl.O.P.No.4983 of 2024
and Crl.M.P.Nos.3689 & 3868 of 2024***

13.03.2024