



CrI.O.P.No.6330 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

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

CrI.O.P.No.6330 of 2024

A.Manuneethi Chozhan

... Petitioner

Vs.

1. The Inspector of Police,
Vigilance and Anti-Corruption,
Cuddalore.
(Crime No.10 of 2018)

2. M.Mohammed Hameem

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, pleased to call for the records in charge sheet filed in Spl.C.C.No.02 of 2020 on the file of the learned Chief Judicial Magistrate, Cuddalore and quash the same.

For Petitioner : Mr.S.C.Vishwanth

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)



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ORDER

The Criminal Original Petition has been filed seeking to quash the proceedings in Spl.C.C.No.02 of 2020 pending on the file of the learned Chief Judicial Magistrate, Cuddalore.

2. Learned counsel for the petitioner submitted that the petitioner was working as an Inspector of Fisheries, Panrangipettai, Bhuvanagiri Taluk, Cuddalore. Based on the complaint given by the second respondent, the first respondent Police had registered a case in Crime No.10 of 2018 against the petitioner. He further submitted that the first respondent police, without proper investigation, had concluded the investigation and filed the final report before the learned Chief Judicial Magistrate, Cuddalore and the same was taken on file in Spl.C.C.No.02 of 2020, however, there is no progress in the trial. He further submitted that though the present petition has been filed seeking to quash the proceedings and there are several arguable grounds available in this case, he only prayed that a direction may be issued to the learned trial Judge to complete the trial within a specified period.



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3. Learned Government Advocate (Crl.Side) submitted that the case is of the year 2020 and there are 14 witnesses listed in the charge sheet and there are 21 documents. He further submitted that the case now stands posted for examination of LW1 on 20.03.2024. He also submitted that several 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 had only 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



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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 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.

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

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



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A.D.JAGADISH CHANDIRA, J.

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