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CrI.O.P.No.9633 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2024

CORAM : JUSTICE **N.SESHASAYEE**

CrI.O.P.No.9633 of 2024
and CrI.MP.No.6698 of 2024

N.Karunanidhi

... Petitioner / Accused No.3

Vs.

1.The State rep by
Inspector of Police
Central Crime Branch
Chennai.

[Crime No.273 of 2017] ... 1st Respondent / Complainant

2.K.Sankarasubbu

Deputy Secretary

Tamil Nadu Public Service Commission

Chennai - 600 003.

... 2nd Respondent / Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to call for the records in C.C.No.2/2021 on the file of the Special
Court for Prevention of Corruption Act, Chennai and to quash the same in
respect of the petitioner.

For Petitioner : Mr.R.Subburaj

For Respondent : Dr.C.E.Pratap
Government Advocate [CrI. Side]



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ORDER

The petitioner who is arrayed as A3 in C.C.No.2 of 2021 on the file of Special Court for Prevention of Corruption, Chennai, has come forward with this petition for quashing the charge sheet on the ground that there is no specific overt act against him.

2. The learned Prosecutor submitted that the prosecution has cited 65 witnesses, of whom 10 witnesses have already been examined. He also added that the Special Court before which the case is pending, is lying vacant and full additional charge has been given to XII Assistant City Civil Court.

3. Inasmuch as the trial has commenced and since as many as 10 witnesses have already been examined, this Court deems it appropriate not to entertain this petition at this point of time. Having said thus, this Court directs the trial Court now in full additional charge of the Special Court, to dispose of the case within a period of six months from today. The petitioner's appearance during trial is dispensed unless the trial Court



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requires his presence before the Court. This however is made clear that the petitioner necessarily have to appear at the stage of Sec.313 questioning and also on the date on which the judgment is scheduled to be pronounced.

4. Subject to what is hereinabove stated, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

28.08.2024

ds

Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

To:

The Inspector of Police
Central Crime Branch
Chennai.



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N.SESHASAYEE.J.,

ds

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