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CRL.O.P.No.30351 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.12.2024

CORAM :

MR. JUSTICE N.SESHASAYEE

CRL.O.P.No.30351 of 2024

S.Ganesan

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Vigilance & Anti Corruption,
Thiruvannamalai District.
(Crime No.1 of 2016)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the learned Chief Judicial Magistrate, Tiruvannamalai to dispose the case in Spl.C.No.10 of 2020 pending on the file of the learned Chief Judicial Magistrate, Tiruvannamalai, within the stipulated period as fixed by this Court.

For Petitioner : Mr.M.Palanivel

For Respondent : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed to direct the learned Chief Judicial Magistrate, Tiruvannamalai to dispose the case in Spl.C.No.10 of 2020, pending on its file, within the stipulated period as fixed by this Court.

2.Mr.K.M.D.Muhilan, learned Government Advocate (Crl.Side) would submit that the prosecution has listed 32 witnesses, of whom only P.W.1 / the Sanctioning Authority alone has been examined. He would submit that the accused persons are facing trial for charges under Sections 465, 468, 471, 409 IPC and 13(2) r/w Section 13(1)(c) of Prevention of Corruption Act, 1988. He submitted that the nature of the case is that it would be difficult to rush through the trial process, since the defence might take reasonable time for cross examination.

3.Sitting from here, this Court may not be able to quantify the time, which might be required for a speedy disposal of this case. While this Court does not discount the petitioner's fundamental right to have a speedy trial, this Court is also equally conscious of the need of the defence to strategize its



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defence. Therefore if the defence is so anxious, the defence may cross examine the prosecution witnesses on the very day on which the witnesses are examined in chief, without any need for recalling them under Section 311 Cr.P.C. These are all the areas, where the defence can contribute to address or alleviate its own anxiety to have the case disposed at the very earliest.

4.This Court now requires the learned Chief Judicial Magistrate Court, Tiruvannamalai, to give its best to complete the trial on or before 31.07.2025. The defence is also required to lend its best co-operation in completing the trial.

5.With the above direction, this Criminal Original Petition stands disposed of.

09.12.2024

Anu



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N.SESHASAYEE, J.

Anu

To

1.The Chief Judicial Magistrate, Tiruvannamalai

2.The Inspector of Police,
Vigilance & Anti Corruption,
Thiruvannamalai District.

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