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CRL.O.P.No.31808 of 2024
and Crl.M.P.No.18156 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.12.2024

CORAM : MR. JUSTICE N.SESHASAYEE

CRL.O.P.No.31808 of 2024
and Crl.M.P.No.18156 of 2024

Venkatesan.S

... Petitioner

Vs.

The State Rep. by
Deputy Superintendent of Police
Special Investigation Cell
Vigilance and Anti-Corruption
Chennai

... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of B.N.S.S. Act, 2023, to set aside the order passed by the learned Special Court for trial of cases under the Prevention of Corruption Act, Chennai dated 12.12.2024 made in Crl.M.P.No.750 of 2024 in C.C.No.30 of 2011 and allow this Criminal Original Petition.

For Petitioner : Mr.S.Karthikeyan

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



CRL.O.P.No.31808 of 2024
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ORDER

This petition is filed challenging an order passed by the Special Court for V & A.C cases in CrI.M.P.No.750 of 2024 in C.C.No.30 of 2011. The said petition was filed by the petitioner / accused for recalling PW.10, the Trap Laying Officer (T.L.O) after the cross examination of the Investigating Officer. This was dismissed by the trial Court essentially on the ground that the petitioner had been afforded multiple opportunities which he have wasted.

2.Heard both sides. Without getting into the merit of the submissions on the order passed, in the best interest of justice, this Court grants one last opportunity to the petitioner to recall PW.10, but upon he paying a cost of Rs.5,000/- (Rupees Five Thousand Only) payable **to the Adyar Cancer Institute (WIA), West Canal Road, Gandhi Nagar, Adyar, Chennai-600 020**, on or before 20.12.2024.

3.The learned counsel for the petitioner is required to produce the copy of the payment receipt of cost before the trial Court on 21.12.2024, upon which the trial Court shall fix the date convenient to both the prosecution and the defence for the further cross examination of T.L.O. It is underscored that the petitioner



CRL.O.P.No.31808 of 2024
and CrI.M.P.No.18156 of 2024

WEB COPY

shall complete the cross examination on the date on which the T.L.O. appears, subject to force majeure vis major circumstances. If he does not cross examine the T.L.O on the date fixed by the trial Court, then he will forfeit the opportunity herein accorded to him by this Court.

4.This petition stands disposed of accordingly. Consequently, the connected miscellaneous petition is closed.

19.12.2024

kas

Index : Yes / No
Neutral Citation

Note: Issue order copy today

To

1.The Special Court for Trial of Cases
under Prevention of Corruption Act
Chennai

2.The Deputy Superintendent of Police
Special Investigation Cell
Vigilance and Anti-Corruption, Chennai.

3.The Public Prosecutor
High Court of Madras
Chennai 600 104.



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CRL.O.P.No.31808 of 2024
and Crl.M.P.No.18156 of 2024

N.SESHASAYEE, J.
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19.12.2024