



Crl.O.P.(MD)No.13292 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.13292 of 2024

A.Vijaya Sahaya Selvi

... Petitioner

Vs.

1.The State through
The Deputy Superintendent of Police,
Economic Offences Wing,
Tirunelveli.

2.The State through
The Inspector of Police,
Economic Offences Wing (EOW-II),
Tirunelveli District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the Special Court under Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997, Madurai to complete the trial in C.C.No.1 of 2024 in Crime No.03 of 2016 dated 08.11.2016 on the file of the second respondent police expeditiously, within time stipulated by this Court.

For Petitioner : Mr.I.Robert Chandrakumar

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the Special Court under Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997, Madurai to expedite the case in C.C.No.1 of 2024 in Crime No.03 of 2016 and dispose of the same as expeditiously as possible within a time that may be stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. It is evident from the records that on the basis of the complaint given by the petitioner/defacto complainant, FIR came to be registered in Crime No.3 of 2016 and that the second respondent, after completing the investigation, has laid the final report before the jurisdictional Court and the same was taken on file in C.C.No.1 of 2024 and is pending on the file of the Special Court under Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997, Madurai.



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4. The learned counsel appearing for the petitioner would submit that though FIR was registered in the year 2016, final report came to be filed after lapse of 7 years and now the case is pending in service stage.

5. The fact remains that charge sheet was filed only in the year 2024. The High Court has already issued Circulars to the District Judiciary directing the Courts to give priority for the cases relating to the Senior Citizens, HIV affected persons, Defence personnel, women and children etc., The petitioner, without approaching the trial Court, has directly approached this Court. In the absence of total pending particulars and the work burden of that particular Court, this Court is not inclined to give any direction to dispose of the case within the specified period of time.

6. However, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The petitioner is at liberty to approach the trial Court and if such requisition for early disposal of the case is made, the learned trial Judge is directed to consider the same in the light of the circulars issued by this Court and taking note of the pendency of the FIR.



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7. With the above observation and direction, this Criminal Original

Petition stands disposed of.

13.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Special Court under Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997, Madurai.
- 2.The Deputy Superintendent of Police,
Economic Offences Wing,
Tirunelveli.
- 3.The Inspector of Police,
Economic Offences Wing (EOW-II),
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.13292 of 2024

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