

CRL OP(MD) NO. 2901 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-02-2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

WEB COPY

CRL OP(MD) No. 2901 of 2025

1.S.Varatharajan

2.J.K.Lakshmi

3.A.P.Suresh Babu

Petitioner(s)

Vs

The State of Tamil Nadu,
Rep. by The Inspector of Police, Vigilance and Anticorruption,
Sivagangai, in Crime No. 4 of 2017

Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 528 of BNSS to direct the Special Judge for trial of Cases under Prevention of Corruption Act, Sivagangai to dispose the case in SplCC.No.8 of 2023 within a stipulated time that may be fixed by this Court.

For Petitioner(s): Mr.M.Suri

For Respondent(s): Mr.T.Senthil Kumar

Additional Public Prosecutor

ORDER

The petitioners are accused in SplCC.No.8 of 2023 on the file of the Special Court for Trial of Cases under the Prevention of Corruption Act, Sivakasi. The petitioners have approached this Court seeking a direction to the trial court to conclude the trial in SplCC.No.8 of 2023 within a stipulated period.

<https://www.dhnl.in.gov.in> 2.The learned Counsel for the petitioners submits that the first petitioner is due to retire in the month of May 2026, the second petitioner has already submitted application for



voluntary retirement and the application is not considered by the Department of the pendency of this criminal case. Therefore, the learned Counsel seeks a direction from this Court to the trial Court to conclude the trial soon.

WEB COPY

3.The learned Additional Public Prosecutor appearing for the respondent submits that 41 cases under the Prevention of Corruption Act are pending before the Chief Judicial Magistrate / the Special Judge for Trial of Cases under the Prevention of Corruption Act, Sivagangai. Even cases of the year 2014 are still pending. Due to the workload, for the availability of the Special Public Prosecutor and for the presence of the witnesses, the trial could not be taken up immediately.

4.This Court considered the rival submissions made and perused the materials placed on record.

5.The Courts are expected to take up the matters only on chronological basis. The petitioners projected as if the 1st petitioner is due to retire in May 2026 and 2nd petitioner's application for voluntary retirement has not been accepted in view of the pendency of this criminal case. The learned Chief Judicial Magistrate / the Special Judge, Special Court for Trial of Cases under the Prevention of Corruption Act, Sivagangai depending upon their work shall consider the case of these petitioners and shall endeavour to conclude the trial as expeditiously as possible.

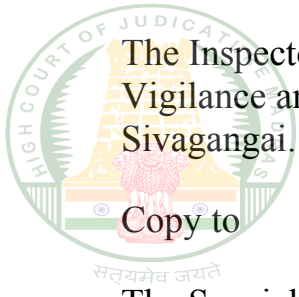
6.This Criminal Original Petition is allowed in the above terms.

17-02-2025

DSK

<https://www.mhc.tn.gov.in/judis>

To



The Inspector of Police,
Vigilance and Anticorruption,
Sivagangai.

Copy to

The Special Judge,
Special Court for Trial of Cases
under the Prevention of Corruption Act,
Sivagangai.



B.PUGALENDHI.J.,



WEB COPY



CRL OP(MD) No. 2901 of 2025

17.02.2025