

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP .No.11066 of 2015
and
M.P.Nos.1 and 2 of 2015

KALKI MANOHARAN @ MANOHARAN

[PETITIONER]

Vs

THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH
CHENNAI CR.NO.582 OF 2004.

[RESPONDENT]

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for records and quash the final report filed by the respondent in S.C.No.387 of 2005 on the file of the Sessions Judge cum Mahila Court Chennai.

For Petitioner : Mr.Suresh

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to quash the final report filed by the respondent in S.C.No.387 of 2005 on the file of the Sessions Judge cum Mahila Court, Chennai.

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

3. The learned counsel for the petitioner submits that the petitioner is the 5th accused in S.C.No.387 of 2005 on the file of the Sessions Judge cum Mahila Court, Chennai and that he has been unnecessarily prosecuted along with the main accused for the offences punishable under Sections 384, 294(B), 420 IPC.

4. In the above referred case, the police completed investigation and filed a final report and as regards this

petitioner, in the fourth report, it is stated that one Suresh was directed by A1 to get train tickets and Suresh pleaded that he does not have money and therefore, A1 directed the petitioner to give cheque to Suresh in lieu of money to get train tickets by Suresh. The said cheque was dishonoured.

5. On a reading of the statement of Suresh, there are sufficient averments for framing of a charge as mentioned in the 4th report for offences under Section 384, 294(B) & 420 IPC.

6. Under such circumstances, this is not a fit case to invoke quash jurisdiction of this Court. Hence, this Criminal Original Petition is dismissed. All the points raised here are left open to the petitioner to be raised before the trial Court. It appears that this Court by order dated 20.01.2014 in CrI.R.C.No.1589 of 2013 had directed the trial Court to expeditiously complete the trial. Following the said order, this Court directs the trial Court to complete the trial, within a period of eight months from the date of receipt of a copy of this order. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(LA)

//True Copy//

Sub Assistant Registrar

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To

1. THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH
CHENNAI CR.NO.582 OF 2004
2. THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS
3. THE SESSIONS JUDGE CUM MAHILA COURT
CHENNAI.

1 CC to Mr.Suresh, Advocate SR.No. 24042

CrI.OP .No.11066 of 2015

PA (CO)
PSI (18.05.2015)