

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.08.2015

CORAM

THE HONOURABLE MR.JUSTICE A.SELVAM

Cr1.OP No.25374 OF 2010

and

M.P.No.1 OF 2010

M.Mohan

.. Petitioner

Vs

State rep. by Deputy Superintendent
of Police, Vigilance and Anti Corruption,
Salem.

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C.,
to call for the entire records relating to proceedings in Crime
No.11/AC/2009 on the file of the Deputy Superintendent of Police,
Vigilance & Anti Corruption, Salem, the respondent herein and quash
the same.

For Petitioner :Mr.R.John Sathyan

For Respondent :Mr.P.Govindarajan

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed under Section 482
of the Code of Criminal Procedure, 1973, praying to call for records
relating to the case registered in Cr.No.11/AC/2009, pending on the
file of the respondent.

2. It is averred in the petition that the petitioner has been
shown as one of the accused and the petitioner has no connection
whatsoever with the alleged offences. Under the said circumstances,
the present petition has been filed by the petitioner as sought for.

3. The learned Counsel appearing for the petitioner has
represented that the petitioner has taken the bundle from him long
ago.

4. The learned Additional Public Prosecutor has represented
that after completing the investigation, the respondent/Investigating
Officer has laid a final report before the concerned court and the

same has taken on file and subsequently, necessary charges have been framed and on the side of the prosecution, some of the witnesses have been examined.

5. Considering the representation made on the side of the respondent, the Court can come to a conclusion that necessary investigation has been done and a final report has been filed and the same has been taken on file and further on the side of the prosecution, some prosecution witnesses have been examined and therefore, the case against the petitioner is in the stage of part-heard.

6. Since the case against the petitioner is in the stage of part heard, the relief sought for in the present petition has become infructuous and therefore, the same deserves to be dismissed.

In fine, the petition is dismissed as infructuous. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CSII)

/true copy/

Sub Asst. Registrar

tsi

To

1. Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Salem.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.R.Johnsathyan, Advocate sr.42308
+1 cc to Public Prosecutor High Court,Madras
vide sr.42241

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aa02/09/2015