

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP.No.13462 of 2016
and
CrIIMP Nos.6911 and 6912 of 2016

S.Rajeswari ..Petitioner/Accused-1

Vs

State represented by
The Inspector of Drugs,
Kancheepuram Range-I,
Kancheepuram Range,
Chennai-600 006. ..Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the entire records from the Hon'ble District Sessions Judge -II, Kancheepuram in S.C.No.41 of 2013 and quash the same.

For Petitioner :Mr.V.J.Arul Raj

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This criminal original petition has been filed to call for the entire records from the Hon'ble District Sessions Judge -II, Kancheepuram in S.C.No.41 of 2013 and quash the same.

2. On 28.06.2016 in CrI.OP.No.13462 of 2016, this Court passed the following order;

"On account of boycott of Courts, there is no representation on the side of the petitioner. However, in Harish Uppal (Ex.Capt.) Vs. Union of India reported in (2003) 2 SCC 45, the Hon'ble Supreme Court has held that boycott of Courts is illegal and therefore, this Court went through the records and passed the following order:

" Learned Additional public Prosecutor submitted that he has not been furnished with the copies of the petition and typed set of papers. Hence, this Court furnished the copies of the petition

and typed set of papers"

Post for orders on 06.07.2016 at 2.15pm."

3.Today, when the matter is called, no representation for the petitioner. Mr.Nandakumar, Drugs Inspector, Kancheepuram Range-I, Kancheepuram Range, Chennai-600 006 is present.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, submitted that the trial in this case commenced with the examination of PW1 on 15.02.2016 before the Additional Sessions Court II, Kancheepuram. In the case of this nature, when the trial was already commenced, it is not desirable to interdict the prosecution.

5. The learned Additional Public Prosecutor further submitted that the petitioner filed C.M.P.No.144 of 2014 in S.C.No.41 of 2013 under Section 227 of Cr.P.C for discharge, which was dismissed by the learned trial Court on 22.04.2014. Thereafter, the petitioner filed a criminal Revision case with a delay of 597 days, which was also dismissed by this Court on 31.03.2016.

In view of the above, the criminal original petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sms

To

1. The District Sessions Judge -II,
Kancheepuram
 2. The Judicial Magistrate, Chengalpet.
 3. -do- Through The Chief Judicial Magistrate, Chengalpet.
 - 4.The Inspector of Police, Kancheepuram Range-I,
Kancheepuram Range, Chennai-600 006.
 - 5.The Public Prosecutor, High Court, Chennai.
- + 1 cc to Mr.V.J. Rulraj, Advocate Sr.39374

Cr1.OP.No.13462 of 2016&
Cr1MP Nos.6911&6912 of 2016

GJ(CO)

En 29.7.16

<https://hcservices.ecourts.gov.in/hcservices/>