

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CRL.O.P.No.25899 of 2016
& CRL.MP.No.12803 of 2016
& CRL.O.P.No.25900 of 2016
& CRL.MP.No.12804 of 2016

V.Anand

.. Petitioner/Accused-5
in both the OPs.

Vs.

State rep. by
The Inspector of Police,
Central Bureau of Investigation,
EOW, Chennai

.. Respondent /complainant
in both the OPs.

Common Prayer:- Criminal Original Petitions filed under Section 482 of Cr.P.C., to set aside the order passed in Crl.M.P.No.2092 of 2016 in C.C.No.3453 of 2012 and Crl.M.P.No.2087 of 2016 in C.C.No.4547 of 2012 respectively dated 31.08.2016 on the file of the learned Additional Chief Metropolitan Magistrate, Egmore at Allikulam, Chennai.

For Petitioner : Mr.P.Ezhil Nilavan

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor for CBI

C O M M O N O R D E R

The petitioner is ranked as A3 in CRL.O.P.No.25900 of 2016 and as A5 in CRL.O.P.No.25899 of 2016 .

2. In both the cases, the learned counsel for the petitioner would submit that he restricts his claim in respect of witness PW1 and PW25 on the file of Additional Chief Metropolitan Magistrate, Egmore at Allikulam, Chennai.

3. He has made an endorsement to the effect that he restricts his claim only in respect of PW1 and PW25 alone in C.C.No.3453 of 2012 on the file of Additional Chief Metropolitan

Magistrate, Egmore at Allikulam, Chennai, for cross examination and PW1 in C.C.No.4547 of 2012, on the file of the Additional Chief Metropolitan Magistrate, Egmore at Allikulam, Chennai.

4. Learned Additional Public Prosecutor has no serious objection regarding examination of those two witnesses.

5. In view of the submission and endorsement made by the learned counsel for the petitioner, these petitions are partly allowed.

6. In view of the above said order, the trial court is directed to issue summons to PW1 and PW25 in C.C.No.3453 of 2012 and PW1 in C.C.No.4547 of 2012 on the file of the Additional Chief Metropolitan Magistrate, Egmore at Allikulam, Chennai for the cross examination. Both the parties and their respective learned counsel are directed to cooperate for early disposal.

With the above direction, both the Criminal Original Petitions are partly allowed. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

gv

To

1.The Additional Chief Metropolitan Magistrate,
Egmore at Allikulam, Chennai.

2.The Inspector of Police
Central bureau of Investigation
EOW Chennai

+2 ccs to Mr.P.Ezhilnilavan Advocate sr 71525,71526

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