

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.12.2016

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

CrI.OP No.27342 of 2016 and

CrI.M.P.Nos.13895 and 13896 of 2016

Anand Purushothaman ... Petitioner/Accused 2

Vs

The Inspector of Police,
Cyber Crime Cell,
Centre Crime Branch,
Chennai--600 007. ... Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying to call for the records in C.C.No.3816/2016 on the file of the XI Metropolitan Magistrate, Saidapet, Chennai for offences under Sections 406, 408, 420, 120-B IPC and Section 66 B of Information Technology Act and to quash the proceedings as against the petitioner.

For Petitioner :Mr.M.Ramesh,
Senior Counsel
for M/s.J.Suresh
For Respondent :Mr.C.Emalias,
Additional Public Prosecutor

ORDER

For quashing the C.C.No.3816/2016 on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai, the present Criminal Original Petition came to be filed.

2. On an earlier occasion, when the petitioner filed CrI.O.P.No.24412/2016 before this Court, to quash the said C.C.No.3816/2016, after hearing the parties at length, this Court was about to dismiss the petition on merits, the learned Senior Counsel appearing for the petitioner therein sought permission to withdraw the petition and necessary endorsement was also made to that effect. Accordingly, the said petition was dismissed as withdrawn with liberty to the petitioner to raise all the points before the trial court.

3. Despite the said order, the very same petitioner has filed the present petition seeking the same relief, on the ground that certain contentions/grounds were not raised/argued earlier.

4. The said argument cannot be countenanced and this Court is not inclined to entertain this petition. It is made clear that the petitioner is permitted to agitate all the points on merits before the trial court and on such submissions, the same shall be considered on merits and in accordance with law.

5. With the above observation, the present Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police,
Cyber Crime Cell,
Centre Crime Branch,
Chennai--600 007.
2. The Public Prosecutor,
High Court, Madras.
- 3.The XI Metropolitan Magistrate, Saidapet, Chennai.
- 4.do thro'The Chief Metropolitan Magistrate,
Egmore, Chennai.

+1 cc to Mr.T.Suresh, advocate, sr.76229

+1 cc to Mr.Ganeshrajan, advocate, sr.76143.

rj(co)
krd 26/12

Cr1.OP No.27342 of 2016

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