

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.06.2017

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Crl.O.P.Nos.4627 and 13897 of 2013
and
M.P.Nos.1 and 1 of 2013

Seelan @ Jayaseelan
S/o.Yakoo Nadar

... Petitioner in Crl.O.P.No.4627 of 2013

1. Amudhan
S/o. Mariyanathan

2. Ponraj
S/o.Periyasamy

3. Jayarajan
S/o.Aiyasamy

... Petitioners in Crl.O.P.No.13897 of 2013

Vs

State Represented by,
Inspector of Police,
C.S.C.I.D,
Tiruvannamalai Unit,
Tiruvannamalai District,
(Crime No.87 of 2012)

.... Respondent in both the petitions

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for the records relating to C.C.No.363 of 2012 on the file of learned Judicial Magistrate I, Kancheepuram and quash the same.

For Petitioners : Mr.Hameed Ismail
in both Petitions

For Respondent : Ms. B. Ramesh Babu,
Government Advocate (Crl.Side) [R1]
in both Petitions

COMMON ORDER

Petitioners seek quash of proceedings in C.C.No.363 of 2012 on the file of learned Judicial Magistrate I, Kancheepuram.

2. Heard learned counsel for petitioner and learned Government Advocate [Crl.side].

3. The prosecution alleges offence u/s. 407 and 285 I.P.C. committed in the course of violation of the provisions of Furnace Oil (Fixation of Ceiling Prices and Distribution) Order 1974. The commission of such offence has allegedly taken place on 09.03.2012. The very Furnace Oil (Fixation of ceiling prices and distribution) has been rescinded under S.O.640(E), dated 31st July 1998. Therefore, offences alleged cannot be attracted for an occurrence of the year 2012.

The Criminal Original Petition shall stand allowed. The proceedings in C.C.No.363 of 2012 on the file of learned Judicial Magistrate I, Kancheepuram, shall stand quashed. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. Inspector of Police,
C.S.C.I.D,
Tiruvannamalai Unit,
Tiruvannamalai District.
2. The Public Prosecutor,
High Court, Chennai.
3. The Judicial Magistrate No I,
Kancheepuram.
4. -Do-Thro The Chief Judicial Magistrate,
Kancheepuram.

+1cc to Mr.Hameed Ismail, Advocate, S.R.No.42489

Crl.O.P.No.4627of 2013

AR(J)
CS/16/08/17