

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2017

CORAM

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

Cr1.O.P No.25375 of 2012

and

M.P.No.1 of 2012

E.Srikumar

...Petitioner/Complainant

Vs

The State rep by

1. The Commissioner of Police,
Central Crime Branch,
Egmore, Chennai-8.
2. The Deputy Commissioner of Police,
Central Crime Branch,
Egmore, Chennai-8.
Crime No.836 of 2005
3. The Additional Deputy Commissioner of Police,
Central Crime Branch,
Egmore, Chennai-8.
4. The Inspector of Police,
IV Team, Central Crime Branch,
Egmore, Chennai-8.
5. The Regional Passport Officer,
Shasthri Bhavan,
Haddows Road, Chennai-34.
6. Mr.E.V.Narayanan

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 CrI.P.C., (i) to issue an interim direction directing the fifth respondent not to allow the 6th respondent, who is facing trial in C.C.No.3688 of 2007 on the file of the learned XI Metropolitan Magistrate, Saidapet, Madras, to go abroad pending disposal of the above criminal original petition and (ii) to direct the fifth respondent to impound the passport of the 6th respondent, who is facing trial in C.C.No.3688 of 2007 on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai-15.

For Petitioner : Mr.V.Bhiman
For Respondents : Mr.B.Ramesh Babu
Government Advocate (CrI.Side)
for R1 to R4
Service awaited for R5 and R6

ORDER

This Criminal Original Petition is filed to direct the fifth respondent to impound the passport of the 6th respondent, who is facing trial in C.C.No.3688 of 2007 on the file of the learned XI Metropolitan Magistrate, Saidapet, Chennai-15.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side).

3. The learned Government Advocate (CrI.Side), on instructions from the respondents police, submitted that originally, the subject matter of the case was closed as 'mistake of fact' and subsequently, it was re-opened. In the meanwhile, A.2, A.3 and A.4 have moved a petition before this Court in CrI.O.P.No.17527 of 2007 and by an order dated 02.03.2009, the charge against them has been quashed and subsequently, A.1 also has filed an appeal in CrI.A.No.162 of 2016 [S.L.P. (CrI.) No.8188 of 2012] before the Hon'ble Supreme Court, which was allowed on 23.02.2016. According to the learned Government Advocate (CrI.Side), the case in C.C.No.3688 of 2007 has been closed on 15.03.2016 and hence, nothing survives in this Criminal Original Petition.

4. Hence, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

jrl/gsk

To

1. The XI Metropolitan Magistrate,
Saidapet, Chennai-15.
2. The Commissioner of Police,
Central Crime Branch,
Egmore, Chennai-8.
- 3 . The Deputy Commissioner of Police,
Central Crime Branch,
Egmore, Chennai-8.
Crime No.836 of 2005.
4. The Additional Deputy Commissioner of Police,
Central Crime Branch,
Egmore, Chennai-8.
5. The Inspector of Police,
IV Team, Central Crime Branch,
Egmore, Chennai-8.
6. The Regional Passport Officer,
Shasthri Bhavan,
Haddows Road, Chennai-34.
7. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.Bhiman, Advocate, S.R.No. 46702

Cr1.O.P.No.25375 of 2012

MSM(CO)

PSI (29.07.2017)