

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2017

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

CrIOP.No.13040 of 2017

and CrIMP Nos.8484 and 8485 of 2017

1.V.P.R.Elamparithi

2.Prabakaran @ Chepakkam Prabakaran ... Petitioners

Vs

State by its

Inspector of Police,

C-3, Seven Wells Police Station (Law & Order),

Chennai-600 001.

... Respondent

Prayer: This Petition filed under Section 482 CrPC, to call for the records relating to the case in C.C.No.974 of 2015 pending trial on the file of the learned VIII Metropolitan Magistrate, George Town, Chennai and to quash the same.

For Petitioners : Mr.UM.Ravichandran

For Respondent : P.Govindarajan,
Additional Public Prosecutor

ORDER

The prayer in the present petition is to quash the proceedings in C.C.No.974 of 2015 on the file of the learned VIII Metropolitan Magistrate, George Town, Chennai.

2.The petitioner among various grounds raised, the main ground stressed upon is that FIR has been filed belatedly after three months and that no permission has been obtained from the Police authorities. The offence is non cognizable offence.

3.However, the learned Additional Public Prosecutor, on instructions, submitted that out of 14 witnesses, PW1 to PW5 had already been examined and it requires utmost three months time to complete the examination. Whatever the grievance of the petitioner, it can be redressed in the trial. I do not find any justification to quash the proceedings, at this moment, when the trial has already commenced.

In view of the same, the Criminal Original Petition stands dismissed. However, since five witnesses have already been examined, in order to secure the interest of justice, there will be a direction to the learned VIII Metropolitan Magistrate, George Town, Chennai, to complete the trial

within a period of three months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petitions are closed.

19.07.2017

Index : Yes/No

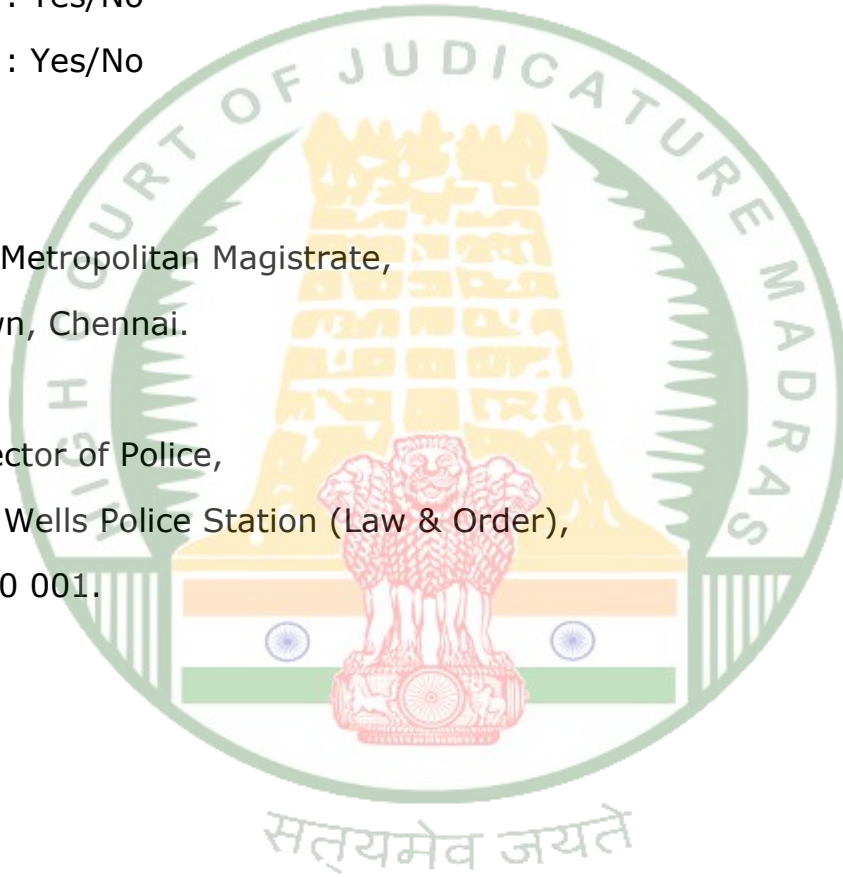
Internet : Yes/No

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To

1. The VIII Metropolitan Magistrate,
George Town, Chennai.

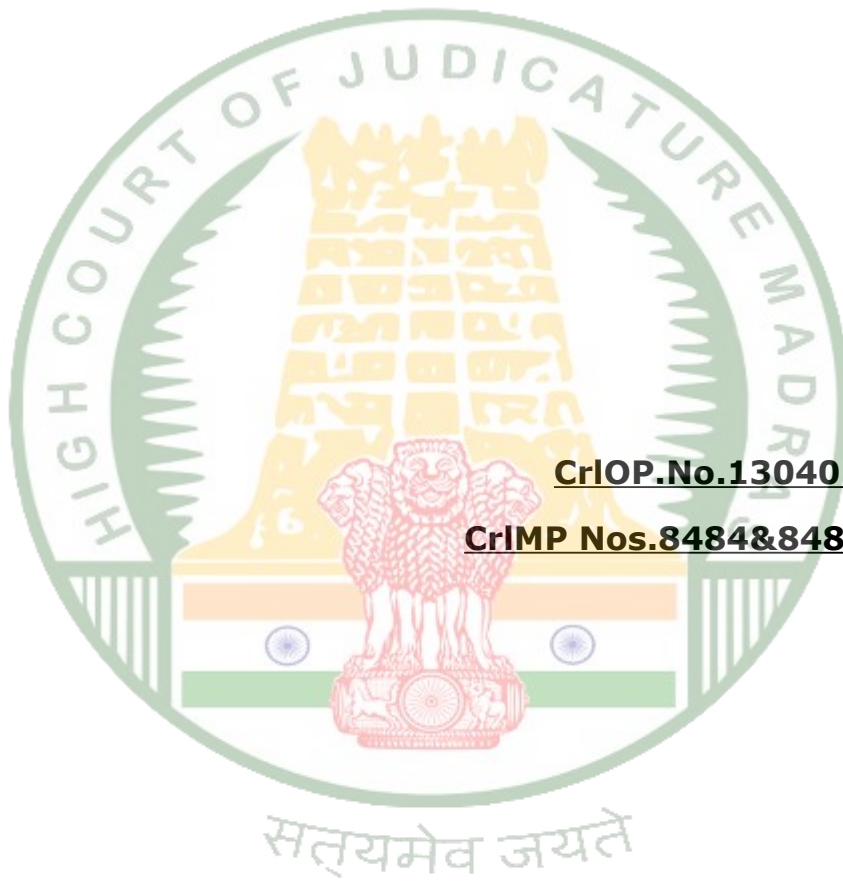
2. The Inspector of Police,
C-3, Seven Wells Police Station (Law & Order),
Chennai-600 001.



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M.S. RAMESH.J.,

mps



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