

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.No.802 of 2013 and
M.P.No.1 of 2013

U.Madhavan

...Petitioner/A2

Vs.

State by
The Sub-Inspector of Police,
C.C.I.W CID, Anna Nagar,
Chennai.
Crime No.2/2009)

...Respondent

This Criminal Revision filed under Section 397 (1) read with 401 of Code of Criminal Procedure against the dismissal of discharge application filed in Crl.M.P.No.3925 of 2011 in C.C.No.3882 of 2011 by order dated 08.06.2013 on the file of the XI Metropolitan Magistrate, Saidapet.

For Petitioner : Mr.S.Thiruvengadam
For Respondent : Ms.V.Sarathadevi,
Govt. Advocate (Crl.Side)

O R D E R

The petitioner herein is 2nd accused in C.C.o.3882 of 2011. He filed a petition in C.M.P.No.3925 2011 under Section 239 of Cr.P.C seeking discharge by questioning jurisdiction.

2 The main contention of the petitioner/2nd accused before the Court below is that, since accused in C.C.No.3882 of 2011, is a staff of defacto complainant, which comes under Multi-State Co-Operative Societies, the Court below has no jurisdiction to frame charges.

3 The Court below based on the decision rendered by this Court in Crl.O.P.No.9061 of 2011 dated 28.04.2011, has dismissed the petition by order dated 08.06.2013 by stating that the High Court has already decided the issue and there is no prohibition to proceed the case under IPC.

4 In view of the above fact the Court below has followed the decision of this Court made in CrI.O.P.No.9061 of 2011, this Court does not find any illegality or infirmity and same does not warrants any interference of this Court.

5 Accordingly, the criminal revision is dismissed. Consequently connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The XI Metropolitan Magistrate,
Saidapet, Chennai.

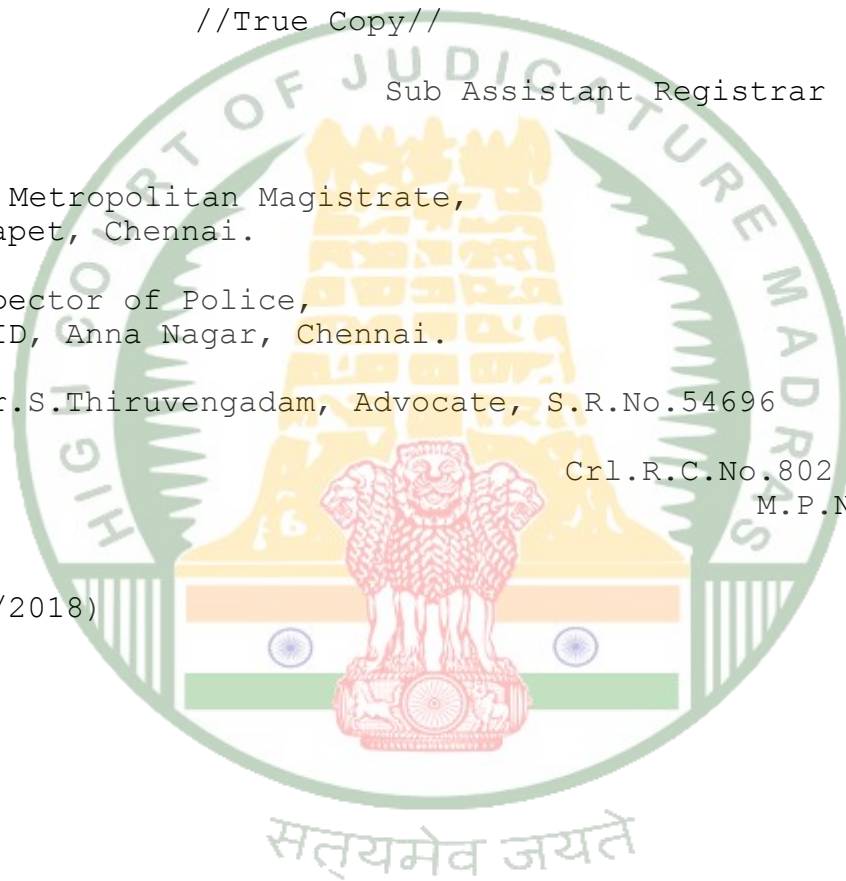
1.

2.The inspector of Police,
C.C.I.W.CID, Anna Nagar, Chennai.

+1cc to Mr.S.Thiruvengadam, Advocate, S.R.No.54696

CrI.R.C.No.802 of 2013 and
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GSP(12/09/2018)



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