

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.27046 of 2018

and

CrI.M.P.Nos.15591 and 15592 of 2018

1. S.Selvendran, M/35 years, (A1)
S/o.Selvaraj
2. K.Narayanan, M/36 years, (A2)
S/o.Krishnan
- Petitioners
- Vs.

- 1.The State Rep. By
The Inspector of Police,
PEW Triplicane Unit
Periyamedu,
Chennai - 600 003
Crime No.220 of 2016.

- 2.Mr.Rajini
-Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records and quash the charge sheet in C.C.No.5039 of 2018 in Crime No.220 of 2016 pending before the XIV Metropolitan Magistrate at Chennai.

For Petitioners : Mr.S.Sugendran

For Respondent 1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.5039 of 2018, pending on the file of the learned XIV Metropolitan Magistrate, Chennai.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3.The learned counsel for the petitioner would submit that the petitioners have been added as A1 and A2 in the final report

for an alleged offence under Section 4(1)(a) r/w 24 of TNP Act. The learned counsel raised various factual issues before this Court.

4.This Court cannot go into the factual issues raised by the learned counsel for the petitioner and this Court has to confine itself only to the materials placed along with the final report. Therefore, this Court does not want to interfere with the proceedings at this stage. It is left open to the petitioner to raise all the grounds before the Court below in the course of the proceedings and the Court below shall consider the same on its own merits and in accordance with law.

5.This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.5039 of 2018, within a period of three months from the date of receipt of copy of this order. Consequently, connected Miscellaneous petitions are also closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

rri/rm

To

1. The XIV Metropolitan Magistrate, Chennai.

2. The Inspector of Police,
PEW Triplicane Unit
Periyamedu,
Chennai - 600 003
Crime No.220 of 2016.

3. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.S.Sugendran, Advocate sr 79426.

CRL.O.P.No.27046 of 2018
and

Crl.M.P.Nos.15591 and 15592 of 2018

NRI (CO)
SP(18/12/2018)