



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2018

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.R.C.No.1289 of 2018
and
Crl.M.P.No.15110 of 2018

R.Vadivel .. Petitioner / Accused (A2)

Vs.

State rep. by
Inspectr of Police V&AC
Cuddalore

.. Respondent / Complainant

PRAYER:The Criminal Revision Petition has been filed under Section 397 & 401 Cr.P.C., to set aside the order made in Crl.M.P.No.708 of 2018 in Special Case No.1 of 2018 on the file of the learned Chief Judicial Magistrate/ Special Judge, Cuddalore.

For Petitioner : Mr.V.Krishnamoorthy

For Respondent : Mr.B.Arulmozhimaran
Government Advocate (Crl.Side)

J U D G M E N T

The petitioner has filed this Criminal Revision Petition under Section 397 & 401 Cr.P.C., to set aside the order made in Crl.M.P.No.708 of 2018 in Special Case No.1 of 2018 on the file of the learned Chief Judicial Magistrate/ Special Judge, Cuddalore.

2.The petitioner / A2 was implicated under Section 12 r/w 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 r/w 109 IPC along with A1.

3.The petitioner / A2 has filed an application before the Trial Court to discharge him from the case under Section 239 of Cr.P.C. After an elaborate discussion, the Chief Judicial Magistrate / Special Judge, Cuddalore has dismissed the same on 26.10.2018 in Cr.M.P.No.708 of 2018 in Spl. Case No.1 of 2018. Aggrieved by the same, the petitioner has preferred the present Revision before this Court.



4. Though the learned counsel for the petitioner raised several grounds for the above said offence, after some arguments, he has restricted his prayer only to raise all the grounds before the Trial Court at the time of Trial.

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5. The learned Government Advocate (Crl. Side) appearing for the respondent would concede to the request of the petitioner.

6. In view of the limited prayer raised before this court by the petitioner, I am inclined to grant liberty to the petitioner to raise all the grounds at the time of Trial. This Court has not expressed any opinion on merits.

7. Accordingly, this Criminal Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To.

1. The Inspector of Police,
Vigilance and Anti corruption,
Cuddalore
2. The Public Prosecutor
High Court of Madras
Chennai 600 104.

+1cc to Mr.V.Krishnamoorthy, Advocate, S.R.No.78706

Crl.R.C.No.1289 of 2008

SR(CO)
SSM (05/12/2018)