

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.11.2019

Coram :

THE HONOURABLE Mr.JUSTICE P.VELMURUGAN

CrI.O.P.No.14178 of 2013
and MP.No.1 of 2013

1. Jerom Robin
2. Ramamoorthi
3. Sekar
4. Kumar
5. Gunaseelan
6. Murugan

... Petitioners

v.

1.State Rep by
Rep by its Inspector of Police,
C1, Sriperambadur Police Station,
Kancheepuram District - 602 105.

2.Jaishankar

.. Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, pleaded to call for the records and quash the charge sheet No.426 of 2009 dated 28.07.2009 pending on the file of the first respondent.

For Petitioners : Mr.Nithyaesh Natraj
For respondents : Mr.R.Raghavan,
Govt. Advocate for R1.
M/s.R.Amizdhu for R2.

ORDER

This Criminal Original Petition is filed to quash the charge sheet No.426 of 2009 dated 28.07.2009 pending on the file of the first respondent.

2. When the petition is listed for hearing on 01.11.2019, the learned counsel for the petitioners seeks time, at his request, listed today under the caption "for orders". Today also, the learned counsel is not ready to argue the case.

3. On a perusal of records, based on the complaint given by the second respondent, the first respondent registered the case against the petitioners under Section 147, 294(b) and 342 IPC dated 17.04.2009 in Cr.No.198 of 2009. The first respondent

investigated the matter and laid charge sheet before the Magistrate. During the pendency of the charge sheet, the petitioner has filed the present criminal original petition before this Court to quash the charge sheet. While admitting this petition, this Court granted interim stay, till date the charge sheet was not taken up on file. Now, this Court granted sufficient opportunity to the petitioners counsel to canvas the Court for quashing the charge sheet.

4. This Court finds there are prima facie case is available to proceed further with the charge sheet. Hence, the criminal original petition is dismissed. Since, the charge sheet is pending from the year 2009, the jurisdictional Magistrate is directed to take up the charge sheet dated 28.07.2009 in Cr.No.198 of 2009 filed by the first respondent and to proceed further in accordance with law within a period of three months from the date of receipt of a copy of this order and to file a compliance report before this Court. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

The Inspector of Police,
C1, Sriperambadur Police Station,
Kancheepuram District - 602 105.

Cr1.OP.No.14178 of 2013

A.SK(13/12/2019)

सत्यमेव जयते

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