

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:22.03.2019

CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.948 of 2019

S.Siva

...Petitioner

Vs.

The Inspector of Police
CCB - Vth division Police Station
Commissioner of Police, Wing
Vepery- CHENNAI

...Respondent

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., to issue the direction to the Judicial Magistrate Court at Alandur, Chennai-16 to take the discharge petition dated 08.10.2018 in C.C.No.1275 of 2017 and further proceed as per law.

For Petitioner : Mr.S.Siva, Party -in-Person

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

ORDER

The Criminal Original Petition has been filed by the petitioner under Section 482 of Cr.P.C., to issue the direction to the Judicial Magistrate Court at Alandur, Chennai-16 to take the discharge petition dated 08.10.2018 in C.C.No.1275 of 2017 and further proceed as per law.

2.This Court called for a report from the Judicial Magistrate, Alandur on 26.02.2019. Accordingly, the learned Magistrate sent a report dated 19.03.2019 and revealed that the petitioner filed a discharge petition in C.M.P.No.733 of 2017 and the same was dismissed on 27.03.2018. Thereafter, charge framed on 27.03.2018 as against the petitioner. The prosecution has also examined P.W.1 to P.W.4 and posted the matter for further evidence. At this stage, on 20.02.2019, the petitioner once again filed another discharge petition along with the order in Cr1.R.C.No.951 of 2018 dated 27.08.2018.

3.Since the trial has already been commenced and the prosecution has also examined P.W.1 to P.W.4, the learned Judicial Magistrate returned the discharge petition filed by the

petitioner on 20.02.2019. Therefore, the present petition filed by the petitioner is devoid of merits. Hence, liable to be dismissed.

4. Accordingly, this Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To.

1.The Judicial Magistrate
Alandur, Chennai

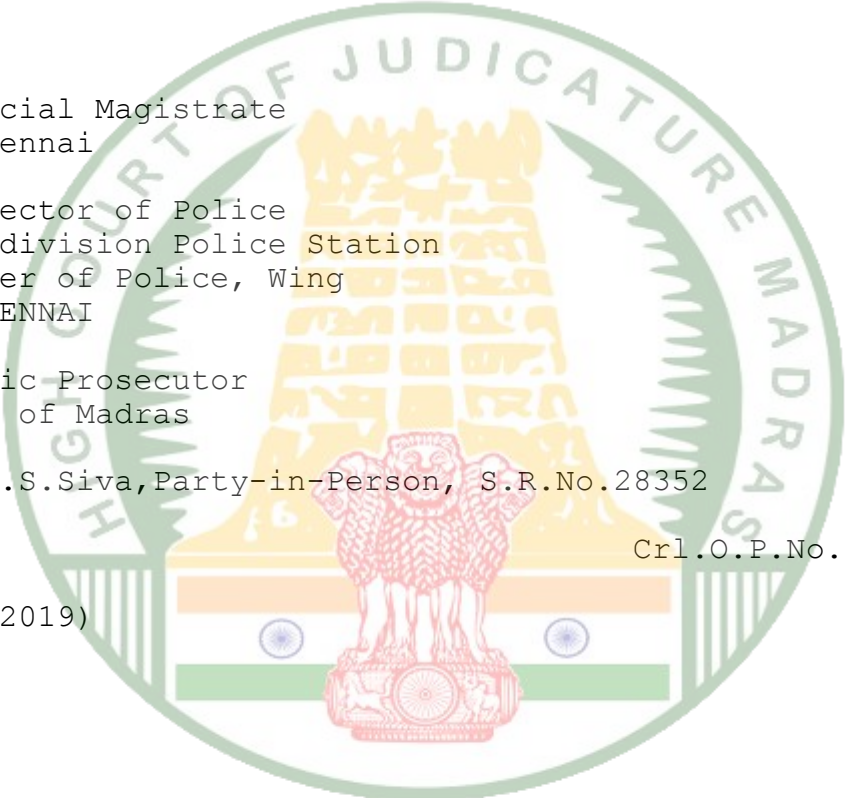
2.The Inspector of Police
CCB - Vth division Police Station
Commissioner of Police, Wing
Vepery- CHENNAI

3.The Public Prosecutor
High Court of Madras

+1cc to Mr.S.Siva, Party-in-Person, S.R.No.28352

Crl.O.P.No.948 of 2019

RRS (27/04/2019)

The seal of the High Court of Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital on top. Below the gopuram is a red lion capital on a base. The entire emblem is set against a background of a green and white striped border. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circular path around the central emblem. At the bottom of the seal, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is inscribed in Devanagari script.

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