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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No. 23286 of 2009

Sumit Banerjee

...Petitioner/Accused

Vs.

State of Tamilnadu,
Rep by the Inspector of Factories 1st Circle,
Kancheepuram No.617,
Anna Salai, Chennai.

...Respondent/Complainant

Prayer: Petition filed under Section 482 of Cr.P.C., to call for the records in CC.No.72/2008 on the file of the Chief Judicial Magistrate, Chengalpattu and quash the same.

For Petitioners : No appearance.

For Respondent : Mr.C.Iyyapparaj, APP

O R D E R

The present petition has been filed for quashment of C.C.No. 72 of 2008 on the Chief Judicial Magistrate, Chengalpattu.

2.The matter was listed before this without EB on 9.12.19. On that day, the matter was directed to be listed on 13.12.19 and the Registry was directed to call for the case records from the trial court. Accordingly, the matter is listed today along with the case records received from the Court of Chief Judicial Magistrate, Chengalpattu.

3. When the matter is taken up today, there is no representation for the petitioner nor the petitioner is present in person. Learned Addl. Public Prosecutor appears for the respondent.

4. A perusal of the records reveal that even as early as on 22.9.08, the case was taken up for hearing and on the petitioner herein pleading guilty, the court below convicted the



petitioner and imposed a fine of Rs.1,500/- for each of the charge framed, and in default of payment of fine, the petitioner was directed to suffer three months simple imprisonment. The said order has not been challenged till date.

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5. From the above, it transpires that without knowing the status of the case before the trial court, the present petition for quashment of the case on the file of the learned Chief Judicial Magistrate, Chengalpattu, has been filed in the year 2009, when even as on 22.9.08, the case was heard and order was passed convicting the petitioner, which is revealed from the relevant records received from the trial court.

6. In such view of the matter, nothing survives for consideration in the present petition and, accordingly, the same deserves to be closed. Accordingly, this criminal original petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

kkn/GLN

To:-

- 1.The Chief Judicial Magistrate,
Chengalpattu.
- 2.The Inspector of Factories 1st Circle,
Kancheepuram No.617, Anna Salai, Chennai.
- 3.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No. 23286 of 2009

BR(CO)
GN(22/10/2020)