

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2019

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.Nos.7138 & 6536 of 2013 and
M.P.Nos.1 to 3 & 1 to 3 of 2013

Geetha Mohan ... Petitioner in Crl.O.P.7138/13

N.Srinivasan ... Petitioner in Crl.O.P.6536/13

Vs.

1. The state rep. by
The Deputy Superintendent of Police,
Economic Offences Wing-II,
Admiralty Building, Govt. Estate,
Chennai - 600 002.

2. M.Viswanathan ... Respondents in both the Ops

(R2 impleaded vider order dated 01.10.2018 made in
Crl.M.P.Nos.12008 and 12009 of 2018)

PRAYER in both the OPs: Criminal Original Petitions filed under
Section 482 Cr.P.C. praying to call for the entire records
leading to passing of the orders in Crl.R.C.Nos.119 & 113 of
2011 respectively confirming the orders made in Crl.M.P.Nos.3480
& 2913 of 2011 in C.C.No.1970 of 2008 by the learned III
Additional Sessions Judge cum III Additional Judge, Chennai,
dated 24.09.2012 and set aside the same.

For Petitioners: Mr.M.Kempraj -in both the Ops

For Respondents: Mr.R.Ravichandran
Govt. Advocate (Crl.Side) for R1
R2 - Notice served-No Appearance
- in both the OPs

COMMON ORDER

The petitioners herein were arrayed as A2 and A3 in
C.C.No.1970 of 2008 and the petitioners have filed petitions
under Section 239 of Cr.P.C separately seeking discharge and the
learned Chief Metropolitan Magistrate, Chennai, dismissed the
same against which they have filed revisions before the learned

II Additional Sessions Judge, Chennai, which were also dismissed. Now these petitions have been filed seeking to set aside the above orders.

2 When the matter is called for hearing, the learned Government Advocate (Crl.Side) appearing for the first respondent police submitted that trial commenced in the main case in C.C.No.1970 of 2008 and L.Ws.1 to 5 were examined.

3 In view of the above submissions, these criminal original petitions are dismissed as infructuous. Consequently connected miscellaneous petitions are closed. However, the learned counsel appearing for the petitioners requested to dispense with the personal appearance of the petitioners and miscellaneous petitions in M.P.Nos.2 & 2 of 2013 have also been filed in the above criminal original petitions seeking the same. Considering the age and medical condition of the petitioners, their appearance before the trial Court is dispensed with and they are directed to appear before the trial Court as and when required.

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar

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To

1. The III Additional Sessions Judge cum
III Additional Judge, Chennai.
2. The Chief Metropolitan Magistrate,
Egmore, Chennai.
3. The Deputy Superintendent of Police,
Economic Offences Wing-II,
Admiralty Building, Govt. Estate,
Chennai - 600 002.
4. The Public Prosecutor, High Court of Madras.

+2cc to Mr.M.Kempuraj, Advocate, S.R.No. 102573, 102574

Crl.O.P.Nos.7138 & 6536 of 2013 and
M.P.Nos.1 to 3 & 1 to 3 of 2013

BR(CO)
GN(05/02/2020)