

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:26.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.8046 of 2019

Auroville Foundation
Represented by
Ranjithkumar Ramamurthy
Auroville Foundation
Auroville, Vannur Taluk
Villupuram 605 101Petitioner

Vs.

1.State by
Inspector of Police
Auroville Police Station
Thiruchitrambalam
Vanur, Villupuram District

2.Inspector of Police
Anti Land Grabbing Special Cell
Villupuram District
Villupuram ... Respondents

PRAYER:Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to summon notice in Form No.96 No.01/2019 dated 07.02.2019 in crime No.47 of 2018 on the file of the Anti Land Grabbing Special Cell, Villupuram District, 2nd respondent herein and quash the same.

For Petitioner : Mr.K.Sukumaran
For Respondents : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the petitioner to call for the records relating to summon notice in Form No.96 No.01/2019 dated 07.02.2019 in crime No.47 of 2018 on the file of the Anti Land Grabbing Special Cell, Villupuram District, 2nd respondent herein and quash the same.

2.The learned Additional Public Prosecutor would submit that the petitioner is the defacto complainant. The crime No.47 of 2018 has been closed as mistake of fact on 07.02.2019 and closure report submitted before the learned Judicial Magistrate, Vanur. The said information was sent to the defacto complainant. Challenging the said summon notice, the petitioner is before this Court.

3.It seems that the petitioner has challenged the referred charge sheet filed by the 2nd respondent before the learned Judicial Magistrate, Vanur. The same cannot be entertained by this court. The petitioner can very well file a protest petition as against the referred charge sheet before the concerned Magistrate. Hence, the petition is devoid of merits. The petitioner is granted liberty to file a protest petition before the concerned Judicial Magistrate.

4.Accordingly, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate
Vanur

2.Inspector of Police
Auroville Police Station
Thiruchitrambalam
Vanur, Villupuram District

3.Inspector of Police
Anti Land Grabbing Special Cell
Villupuram District
Villupuram

4.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.8046 of 2019

+1cc to Mr.K.Sukumaran , Advocate SR.No. 28448

NMI (CO)

A.SK(22/04/2019)