

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.Nos.7624 of 2019
and Crl.M.P.Nos.4169 & 4170 of 2019

1.Falcon Impex represented by its Proprietor,
Uma Saravanan,
No.165/3B, I Floor, Teachers Colony,
Vettuvankeni, Chennai- 600 115.

2.Uma Saravanan

3.Jayapriya ... Petitioners/Accused 6 to 8

Vs.

1.State represented by
The Inspector of Police,
Central Crime Branch,
EDF-I, Team-II, Veppery,
Chennai - 600 007. ... 1st Respondent/Complainant

2.N.Sudhakar ... 2nd Respondent/Defacto-Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to C.C.No.2675 of 2018 on the file of the CCB/CBCID Special Court, Egmore, Chennai and quash the same as against the petitioners 1 to 3.

For Petitioners : Mr.Shanmugavelayutham,
Senior Counsel
for Mr.T.Vijayaraghavan

For Respondents : Mr.C.Raghavan, for R1
Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.2675 of 2018 on the file of the CCB/CBCID Special Court, Egmore, Chennai, having been taken cognizance for the offences punishable under Sections 408, 420 and 120(B) of IPC.

2.The learned Counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Without any base, the first respondent police registered a case in Crime No.20 of 2017 for the offences under Sections 408, 420 and 120 (B) of IPC, as against these petitioners and filed charge sheet in C.C.No.2675 of 2018 before the CCB/CBCID Special Court, Egmore, Chennai. Hence he prayed to quash the same.

3. The learned Government Advocate would submit that there are specific allegations as against these petitioners to attract the offences under Sections 408, 420 and 120(B) of IPC. He further submitted that there are only five witnesses in this case and all the points raised by the petitioners have to be considered only during the trial. Therefore, he prayed to dismiss this petition.

4. Heard learned counsel appearing for the petitioners and learned Government Advocate appearing for the first respondent.

5. It is seen from the charge there are specific averments to attract the offences as against these petitioners. Further it is also seen that there are materials to connect the petitioners to the offences. Moreover all the points raised by the petitioners have to be considered only during the trial. The petitioners at liberty to raise all the points before the Court below during the trial.

6.In view of the above discussion, this Court is not inclined to quash the proceedings in C.C.No.2675 of 2018. However, the personal appearance of the third petitioner before the CCB/CBCID Special Court, Egmore, Chennai in connection with C.C.No.2675 of 2018 is dispensed with until further orders.

7.Accordingly, the Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

AT

To

1. The CCB/CBCID, Special Court, Egmore.

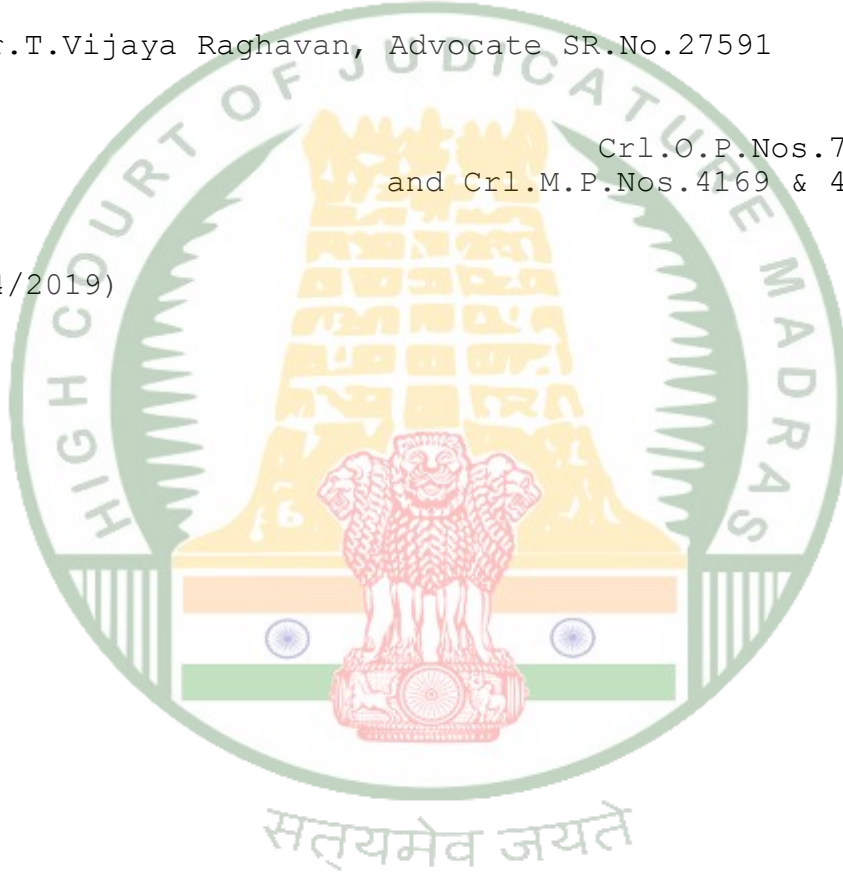
2.The Inspector of Police,
Central Crime Branch,
EDF-I, Team-II, Veppery,
Chennai - 600 007.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.Vijaya Raghavan, Advocate SR.No.27591

Crl.O.P.Nos.7624 of 2014
and Crl.M.P.Nos.4169 & 4170 of 2019

GJ II(CO)
GMY(03/04/2019)



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