

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 29.03.2019
CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.8529 of 2019
and
Crl.M.P.Nos.4535 & 4536 of 2019

S.Pathmakumar

.. Petitioner

Vs

1.The State of Tamil Nadu
Rep.by Sub-Inspector of Police,
Central Crime Branch, EDF-I, Team II,
Egmore, Chennai - 600 008.
Crime No.74 of 2008

2.Ramesh.G.Mahendran

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records and quash all further proceedings in C.C.No.15380 of 2008 on the file of Special Court for CCB and CBCID, Egmore, Chennai - 600 008 against the petitioner herein.

For Petitioner : Mr.N.V.V.Krishna

For Respondents : Mr.M.Mohamed Riyaz, for R1
Additional Public Prosecutor.

O R D E R

This criminal original petition has been filed to quash the proceedings in C.C.No.15380 of 2008 on the file of Special Court for CCB and CBCID, Egmore, Chennai - 600 008 having been taken cognizance for the offences punishable under Sections 465, 468, 471 r/w 120B of IPC.

2.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Without any base, the first respondent police registered a case in Crime No.74 of 2008 for the offences under Sections 465, 468, 471 r/w 120B of IPC, as against the petitioner and filed charge sheet in C.C.No.15380 of 2008 before the Special Court for CCB and CBCID, Egmore, Chennai - 600 008. Hence he prayed to quash the same.

3.The learned Additional Public Prosecutor would submit that there are specific allegations as against the petitioner to attract the offences under Sections 465, 468, 471 r/w 120B of IPC. He further submitted that P.W.1 to P.W.4 were examined and posted for recording evidence of two witnesses including investigation officer and all the points raised by the petitioner have to be considered only during the trial. Therefore, he prayed to dismiss this petition.

4.Heard Mr.N.V.V.Krishna, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the first respondent.

5.It is seen from the charge there are specific averments to attract the offences as against the petitioner. Further it is also seen that there are materials to connect the petitioner to the offences. More over all the points raised by the petitioner have to be considered only during the trial. The petitioner is 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.15380 of 2008. However, considering the case is of the year 2008, the trial Court is directed to complete the trial proceedings within a period of three months from the date of receipt of copy of this Order.

7.With the above directions, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

AT

To

1.The Judge,
Special Court for CCB & CBCID,
Egmore, Chennai.

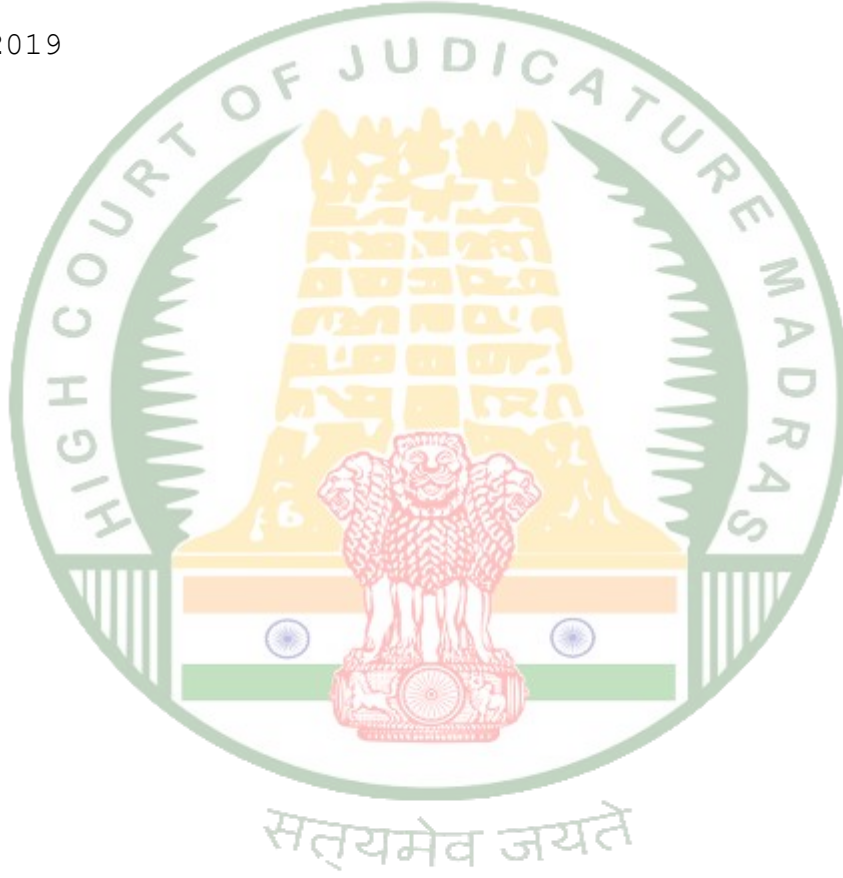
2.The Sub-Inspector of Police,
Central Crime Branch, EDF-I, Team II,
Egmore, Chennai - 600 008.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.N.V.V.Krishna, Advocate sr.30574

CrI.O.P.No.8529 of 2019

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nr 16/05/2019



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