

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Seventeenth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice S. VAIDYANATHAN

CRIMINAL MISCELLANEOUS PETITION Nos.4813 and 4816 of 2019

in CRL OP.Nos.11829 and 12433 of 2016

1 VALARMATHI
2 A.PUGAZHENDHI

[PETITIONER / ACCUSED
in CRL.M.P.No.4813/2019]

1 S.RANI
2 S.SANKARI
3 N.CHARULATHA
4 P.JAYASHREE

[PETITIONER / ACCUSED
in CRL.M.P.No.4816/2019]

Vs

THE INSPECTOR OF POLICE
E8, KELAMBAKKAM POLICE STATION,
KANCHEEPURAM DISTRICT.
CRIME NO.410 OF 2015

[RESPONDENT
in both petitions]

Petition praying that in the circumstances stated therein the High Court will be pleased to

(i) modify Para No.12 of the Order dated 16/06/2016 made in CRL OP No.11829 of 2016 forever and modify the said orders with the actual facts [CRL.M.P.No.4813 of 2019]

(ii) modify para No.12 of the order dated 16.06.2016 made in CRL.OP.No.12433 of 2016 forever and modify the said orders with the actual facts [CRL.M.P.No.4816 of 2019]

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.P.BAGYALAKSHMI, Advocate for the petitioners, and of M/S.T.P.SAVITHA Govt. Advocate (Crl. Side) on behalf of the Respondent, the court made the following order:-

These Petitions are filed seeking to modify paragraph No.12 of the common order dated 16.06.2016 made in Crl.O.P.No.12433 of 2016 and Crl.O.P.No.11829 of 2016.

2. Heard Mrs.P.Bagyalakshmi, learned counsel for the Petitioners and the learned Government Advocate (Crl. Side).

3. This Court, on 16.06.2016, passed a detailed order in Crl.O.P.Nos.11829, 12433 and 12581 of 2016. The Petitioners in the above Miscellaneous Petitions intend to expunge paragraph 12 of the said order, by means of which, they indirectly seek to review the said order and in terms of Section 362 Cr.P.C., the above Criminal Miscellaneous Petitions are not maintainable.

4. **In the result, the above Criminal Miscellaneous Petitions stand dismissed.** However, it is made clear that if the Petitioners are aggrieved, they are at liberty to take up the matter to Apex Court, as intra-Court Appeal is not permitted in view of the decision rendered by a Division Bench of this Court in **Writ Appeal in W.A.S.R.No.1941 of 2018, dated 30.01.2018.** following the decision of the Apex Court rendered in the case of **Ram Kishan Fauji vs.State of Haryana reported in 2017 (5) SCC 533.**

-sd/-

17/06/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
CHENGALPATTU

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
E8, KELAMBAKKAM POLICE STATION,
KANCHEEPURAM DISTRICT

C.C. to M/S.P.BAGYALAKSHMI Advocate on payment of necessary charges

Order
in

CRL MP.Nos.4813 & 4816 /2019
in

CRL OP.Nos.11829 & 12433/2016
Date :17/06/2019

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