

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.15450 of 2019 &
CrI.M.P.No.7582 of 2019

A.Suthanthirakumar

.. Petitioner

-vs-

1.The Inspector of Police,
Chennai City Crime Branch,
X Crime No.232/2003,
Egmore, Chennai-600 008.

2.Michael Murtagh
Entry Clearance Officer,
BDHC, Chennai-600 006.

.. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to issue a direction to call for the records in C.C.No.301/2004 in Cr.No.232 of 2003 and quash the same pending on the file the Additional Chief Metropolitan Magistrate Court (CCB- CBCID), Chennai.

For Petitioner : Mr.T.V.G.Kartheeban

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

ORDER

This petition has been filed seeking to quash the proceedings pending in C.C.No.301/2004 on the file of the Additional Chief Metropolitan Magistrate Court (CCB- CBCID), Chennai.

2.There are totally seven accused persons in this case and the petitioner has been added as A3.

3.The main ground that has been taken for seeking to quash the proceedings is that the proceedings are being kept pending from the year 2004 onwards without any progress.

4.The learned Additional Public Prosecutor on instructions, submitted that a Non Bailable Warrant is pending against A2 to A7 and as against this petitioner, the same is pending from 2014 onwards.

5.In view of the above submission made by the learned Additional Public Prosecutor, it is clear that the petitioner has contributed for the delay in disposal of the case. The petitioner cannot be permitted to turn around and take advantage of his own wrong.

6.This Court is not inclined to interfere with the proceedings at this stage.

7.Taking into consideration the facts and circumstances of the case, the Court below is directed to complete the proceedings in C.C.No.301 of 2004 with a period of six months from the date of receipt of a copy of this order. It is left upon to the petitioner to file a petition for recall of warrant and the Court below shall be considered in accordance with law after taking into consideration the age of the petitioner.

8.This Criminal Original Petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kal

To

1.The Additional Chief Metropolitan Magistrate,
(CCB-CBCID), Chennai.

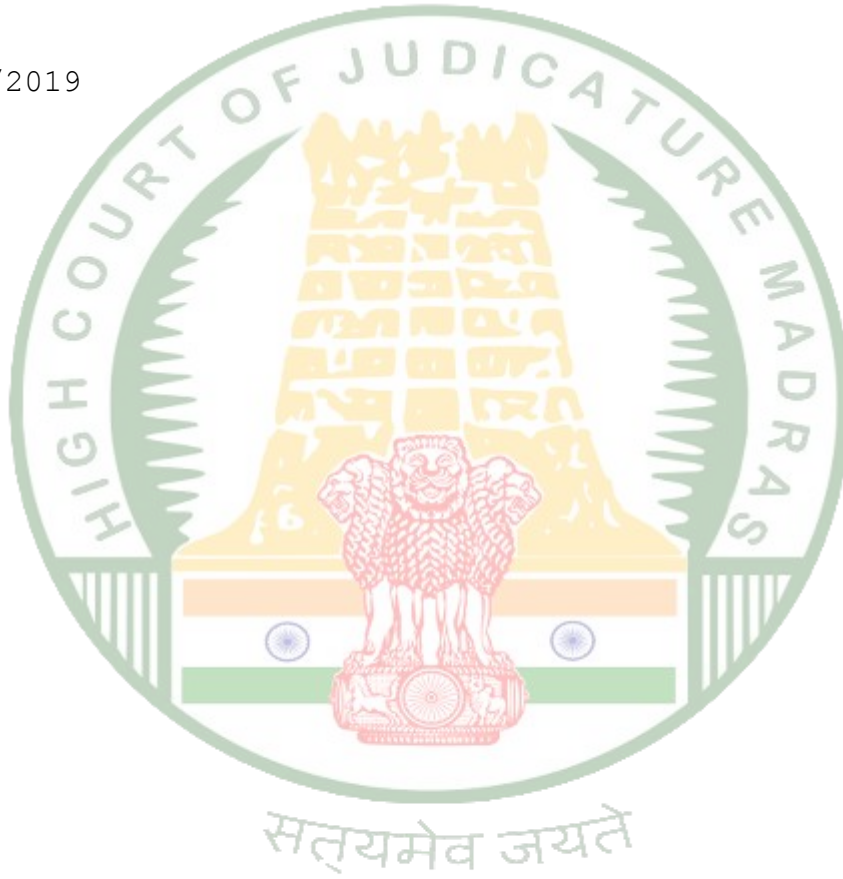
2.The Inspector of Police,
Chennai City Crime Branch,
X Crime No.232/2003,
Egmore, Chennai-600 008.

3.Michael Murtagh
Entry Clearance Officer,
BDHC, Chennai-600 006.

4.The Public Prosecutor,
High Court of Madras,
Chennai.

Crl.O.P.No.15450 of 2019 &
Crl.M.P.No.7582 of 2019

ssd[co]
srg 29/07/2019



WEB COPY