

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3146 of 2014
and M.P.Nos.1 & 2 of 2014

1. Gnanaraj
2. Gomathi

.... Petitioners

Vs.

The Inspector of Police,
C-3, Manimangalam Police Station,
Kancheepuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.No.488 of 2013 on the file of the learned Judicial Magistrate, Tambaram and quash the same.

For Petitioners : Mr.R.Prasadh

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.488 of 2013 on the file of the learned Judicial Magistrate, Tambaram, having been taken cognizance for the offences punishable under Sections 448 and 506(i) of IPC.

2. The learned Counsel appearing for the petitioner would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Without any base, the respondent police registered a case in Crime No.30 of 2013 for the offences under Sections 448 and 506(i) of IPC, as against the petitioner and filed charge sheet in C.C.No.488 of 2013 before the learned Judicial Magistrate, Tambaram. Hence he prayed to quash the same.

3. The learned Additional Public Prosecutor would submit that there are specific allegations as against the petitioners

to attract the offence under Sections 448 and 506(i) of IPC. He further submitted that all the points raised by the petitioners have to be considered only during the trial. Therefore, he prayed to dismiss this petition.

4. Heard Mr.R.Prasadh, learned counsel appearing for the petitioners and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondent.

5. It is seen from the charge that there are specific averments to attract the offences as against the petitioners. Further it is also seen that there are materials to connect the petitioner to the offences. More over all the points raised by the petitioners have to be considered only during the trial. The petitioners are 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.448 of 2013. However, considering the case is of the year 2013, 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 petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Judicial Magistrate Court, Tambaram.

2. The Inspector of Police,
C-3, Manimangalam Police Station, Kancheepuram District.

3. The Public Prosecutor,
High Court, Chennai.

SSI(CO)
CSL/27.03.2019

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