

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.06.2019
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.OP No.15593 of 2019 &
Crl.M.P.Nos.7730 & 7731 of 2019

M.Martel Alexander Joseph

.. Petitioner/Accused No.2

vs.

1.The Sub Inspector of Police,
Odiyan Salai Police Station,
Puducherry
(Crime No.229 of 2013) R1/Complainant

2.Mosella Marie Christiana
... Respondent No.2/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.542 of 2019 on the file of the Chief Judicial Magistrate, Puducherry, quash therein, set aside the order dated 05.04.2019 passed by the learned Chief Judicial Magistrate, Puducherry of taking cognizance of the alleged offences.

For Petitioner : Mr.C.S.Dhanasekaran

For Respondent : Mr.Bharatha Chakravarthi
Public Prosecutor (Puducherry) for R1

ORDER

This petition has been filed seeking to quash the proceedings in C.C.No.542 of 2019 pending on the file of the Chief Judicial Magistrate, Puducherry.

2. The respondent Police have filed a final report before the Court below for the offence under Sections 468, 471, 420 IPC r/w.34 of IPC. The petitioner has been shown as A2.

3. The learned counsel for the petitioner has raised various grounds which are factual in nature and requires appreciation of evidence and this Court cannot undertake the said exercise in jurisdiction of this Court under Section 482 of Cr.P.C. It is left open to the petitioner to raise all the grounds before the Court below and the same shall be considered on its own merits and in accordance with law.

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

5. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.542 of 2019 within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Chief Judicial Magistrate,
Puducherry.

2.The Sub Inspector of Police,
Odiyan Salai Police Station,
Puducherry

3.The Public Prosecutor(Puducherry)
High Court of Madras,
Madras.

+lcc to Mr.C.S.Dhanasekaran, Advocate sr.49660

+lcc to the Public Prosecutor, Puducherry sr.49684

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nr 18/07/2019

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