

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.20493 of 2019 and Crl MP No.10537 of 2019

C.Thirumurugan

Petitioner

vs.

1. State rep by
The Sub Inspector of Police,
Central Crime Branch XI,
Bank Fraud investigation Wing,
Vepery, Chennai 600 007

2. O.Narayanan

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the entire records and quash the charge sheet in C.C.No.1558 of 2007 on the file of Metropolitan Magistrate, CCB, CBCID Court, Egmore, Chennai 600 008.

For Petitioner:Mr.K.Kannan

For Respondent:Mr.M.Mohammed Riyaz

Additional Public Prosecutor for R1

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner for an offence under Sections 420, 465, 471 r/w. 34 IPC.

2. The various grounds raised by the learned counsel for the petitioner are all factual in nature and the same requires appreciation of evidence in the course of the trial and the said exercise cannot be done by this Court in exercise of its jurisdiction 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 Court below shall consider the same on its own merits and in accordance with law. This Court does not want to interfere with the proceedings at this stage.

3. The learned counsel for the petitioner requested this Court to dispense with the presence of the petitioner. Taking into consideration, the facts and circumstances of the case, the presence of the petitioner is dispensed with and he shall be represented by a counsel, who shall cross examine the witnesses on the same day, they are examined in Chief. The petitioner shall be present before the Court below at the time of framing of charges, questioning under Section 313 Cr.P.C and at the time of passing of the final judgment.

4. This Criminal Original Petition is disposed of with a direction to the learned Metropolitan Magistrate, CCB, CBCID Court, Egmore, Chennai 600 008 to complete the proceedings in C.C.No.1558 of 2007, within a period of four months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petition is closed.

Sd/-

Deputy Registrar (CJ Conf.,)

//True Copy//

Sub Assistant Registrar

rka

To

1. The Metropolitan Magistrate, CCB, CBCID Court, Egmore, Chennai 600 008
2. State rep by
The Sub Inspector of Police,
Central Crime Branch XI,
Bank Fraud investigation Wing,
Vepery, Chennai 600 007
3. The Public Prosecutor,
High Court of Madras,
Madras.

+1 cc to M/s.K.Kannan, Advocate, S.R.No.69560

Cr1.O.P No.20493 of 2019

PA(CO)
SSM(12/09/2019)