



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:31.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No.20428 of 2019

and

CrI.M.P.Nos.10512 & 10513 of 2019

Rijwan @ Mohammed Rijwan

...Petitioner

Vs.

1. State rep. by
Inspector of Police
Mayiladuthurai Police Station
Nagapattinam District.

2. P.M.Pasith

...Respondents

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records relating to the proceedings in P.R.C.No.19 of 2019, before the file of Learned Judicial Magistrate-1, Mayiladuthurai and quash the same in respect of the petitioner / accused No.3.

For Petitioner : Mr.D.Krishnamoorthy

For 1st Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed challenging the proceedings initiated by the respondents against the petitioner under Sections 294(b), 324, 447, 506(ii) of IPC and Section 3(1) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992.

2. The grounds raised by the counsel for the petitioner are all factual in nature and it requires appreciation of evidence and this Court cannot decide the same in exercise of its jurisdiction under Section 482 of Criminal Procedure Code. It is left open to the petitioner to raise all the grounds before the Court and the same shall be considered on its own merits and in accordance with law. This Court is not inclined to interfere with the proceedings pending before the Court below.



3. Accordingly, this Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in P.R.C No.19 of 2019 within a period of three months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

uma

To

1. The Judicial Magistrate-1
Mayiladuthurai.
2. The Inspector of Police
Mayiladuthurai Police Station
Nagapattinam District.
3. The Public Prosecutor
High Court of Madras.

Crl.O.P.No.20428 of 2019
andCrl.M.P.Nos.10512
& 10513 of 2019

BP(CO)
SSM(10/09/2019)