

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.22192 of 2019
and Crl.M.P.Nos.11503 and 11505 of 2019

P.Danielraj

...Petitioner

Vs.

1. State Represented by
The Inspector of Police,
Central Crime Branch, Team -IX,
Anti Job Racketing Special Cell
Vepery, Chennai - 600 007.
(Crime No.372 of 2013)

2. M.Kuppuswamy

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records in C.C.No.5041 of 2018 pending on the file of Special Court C.C.B & C.B.C.I.D Egmore, Chennai and quash the same as far as the petitioner is concerned.

For Petitioner : Mr.D.Dayalan

For R1 : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed challenging the proceedings initiated by the 1st respondent against the petitioner for an offence under Section 420 r/w 34 of IPC.

2. The various grounds raised by the learned counsel for the petitioner is 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 submitted that the petitioner is suffering from ailment and therefore, his presence shall be dispensed with before the Court below.

4. This Court is not inclined to dispense with the presence of the petitioner. The petitioner shall be present before the Court below, during all important dates of hearing and as and when required by the Court below. On the other hearing dates, the petitioner can be represented by an Advocate.

5. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.5041 of 2018, on the file of the Special Court C.C.B & C.B.C.I.D Egmore, Chennai, within a period of six months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

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To

1.The Special Court C.C.B & C.B.C.I.D
Egmore, Chennai,

2. The Inspector of Police,
Central Crime Branch, Team -IX,
Anti Job Racketing Special Cell
Vepery, Chennai - 600 007.
(Crime No. 372/2013)

3. The Public Prosecutor,
High Court of Madras,
Madras.

+1 CC to Mr.D.Dayalan, Advocate sr 70918

CrI.O.P.No.22192 of 2019
and CrI.M.P.Nos.11503 and 11505 of 2019

PM(CO)
SP(16/09/2019)