

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2019

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Crl.O.P.No.28036 of 2019

A.Govindaraj

... Petitioner

/Vs./

State By

The Inspector of Police,
T-15, SRMC Police Station,
Porur, Chennai - 600 002.
(Crime No.583 of 2004)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to declare the judgement of Acquittal dated 20.10.2014 made in C.C.No.104 of 2007, by the learned Judicial Magistrate-I, Poonamallee, be deemed as one of "Honorable Acquittal".

For Petitioner : Mr.S.Sathia Chandran

For Respondent : Ms.Saratha Devi
Government Advocate (Crl. Side)

ORDER

Today the matter is listed under the caption "for being spoken to". After this Court had passed the final order on 19.11.2019 in the present petition seeking to declare the judgment of acquittal dated 20.10.2014 made in C.C.No.104 of 2007 as one of "Honourable Acquittal", the Honourable Division Bench of this Court in the case of C.Surendhar vs. the Director General of Police, Chennai and Ors reported in 2019 (5) L.W. 577 had held that consideration of such a prayer to declare a judgment as honourable acquittal is impermissible. In view of such pronouncement, it would not be appropriate for this Court to entertain this present petition.

2. Though the order dated 19.11.2019 in the present petition is yet to be despatched by the Registry, in view of the aforesaid discussion, it would not be appropriate to permit despatching the order. Accordingly, order dated 19.11.2019 in Crl.O.P.No.28036 of 2019 is hereby recalled.

3. Nevertheless, if the petitioner is of the view that the judgment acquitting him from criminal charges would enable

him to seek for continuance of service and other service benefits, it is always open to him to redress his grievance by way of representing before the concerned authorities, who shall in turn consider such representation on its own merits and in accordance with law. Accordingly, the Criminal Original Petition is dismissed with the above observations.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

ssr/sts/sm
To

1. The Judicial Magistrate-I,
Poonamallee.

2. The Inspector of Police,
T-15, SRMC Police Station,
Porur, Chennai - 600 002.
(Crime No.583 of 2004)

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Mr.S.Sathia Chandran, Advocate SR.No. 96131
(17/02/2020)

Cr1.O.P.No.28036 of 2019

A.SK(04/02/2020)

सत्यमेव जयते
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