



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.12.2019

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.32849 of 2019

and

Crl.M.P.No.18118 of 2019

P.Asirvatham

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Central Crime Branch,
Team IX-A, Chennai.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order dated 21.08.2019 passed in Crl.R.C.No. 29 of 2019 on the file of Principal District Sessions Judge, Chennai confirming the order dated 26.11.2018 passed in Crl.M.P.No.6733 of 2018 in C.C.No.10116 of 2014 pending on the file of Metropolitan Magistrate for CCB and CBCID cases at Egmore, Chennai by allowing this Criminal Original Petition.

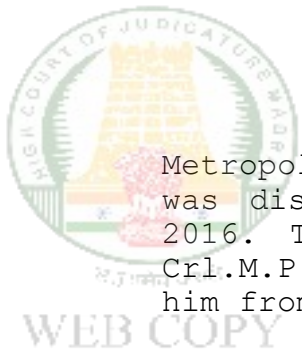
For Petitioner : M/s. D.Bennington

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

O R D E R

This petition has been filed to set aside the order dated 21.08.2019 passed in Crl.R.C.No. 29 of 2019 on the file of Principal Sessions Judge, Chennai confirming the order dated 26.11.2018 passed in Crl.M.P.No.6733 of 2018 in C.C.No.10116 of 2014 on the file of Metropolitan Magistrate for CCB and CBCID cases at Egmore, Chennai by allowing this Criminal Original Petition.

2. It is seen from the order passed by the learned Principal Sessions Judge in Crl.R.C.No. 29 of 2019 that on previous occasion, the petitioner herein had filed an application in Crl.M.P.No.2646 of 2015 before the learned



Metropolitan Magistrate seeking discharge and the said petition was dismissed and thereafter charges were framed in the year 2016. Thereafter in the year 2018, the petitioner has filed CrI.M.P.No.6733 of 2018 for the same relief that is to discharge him from the above said case.

3. Taking into consideration of the above said facts, the learned Metropolitan Magistrate has dismissed the said petition and the same was confirmed by the Principal Sessions Judge in CrI.R.C.No.29 of 2019. Further, already this Court in CRL.OP.No.5754 of 2016 has directed the Trial Court to dispose of CC.No.10116 of 2014 within three months Therefore this Court does not find any infirmity in the order passed by the learned Principal Sessions Judge. Further, the learned Additional Public Prosecutor has submitted that out of 10 witnesses already 6 witnesses were examined on the side of prosecution before the trial court.

4. Taking into consideration of the aforesaid facts, this Court is of the view that this petition sans merits. Accordingly, this petition is dismissed. Consequently, connected Criminal Miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

ebsi

To

1. The Inspector of Police,
Central Crime Branch,
Team IX-A, Chennai.

2.The Public Prosecutor,
Madras High Court,
Chennai.

+lcc to Mr.D.Bennigton, Advocate SR.No. 102830

CRL.O.P.No.32849 of 2019

and

CrI.M.P.No.18118 of 2019

A.SK(23/01/2020)