

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Tenth day of December Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. RAJAMANICKAM

CRIMINAL ORIGINAL PETITION No.33233 of 2019

IN CRL.MP.NO.18329 OF 2019

LILLY FLORA

[PETITIONER / ACCUSED]

vs

1 STATE REP BY
THE INSPECTOR OF POLICE,
CCIW, THIRUVANNAMALAI DISTRICT.

[RESPONDENTS]

2 DOCTOR AMALADASS

Petition praying that in the circumstances stated therein the High Court will be pleased to

[I]call for records relating to the charge sheet in C.C.NO.150 OF 2019 on the file of the learned Judicial Magistrate No.II, Thiruvannamalai District and quash the same.[CRL.OP.NO.33221/2019]

[II]dispense with the personal appearance in C.C.NO.150 OF 2019 on the file of the learned Judicial Magistrate No.II, Thiruvannamalai pedning disposal of the present criminal original petition. [CRL.MP.NO.18327/2019]

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.NIRANJAN S.KUMAR Advocate for the petitioner and of MR.M.MOHAMED RIYAZ,ADDL.PUBLIC PROSECUTOR FOR[R-1]on behalf of the Respondent the court made the following order:-

The learned counsel for the petitioner has submitted that in the surcharge proceedings, the petitioner was discharged by saying that the petitioner is not responsible for loss against the society and hence, he prayed to grant stay.

2. Per contra, the learned Additional Public Prosecutor has submitted that sofar as item No.6 is concerned, in the surcharge proceedings it was held that since the amount was collected there is no necessity to proceed against the delinquent on that amount, but it cannot be presumed that the amount was not mis-appropriated.

3. Taking into consideration of the aforesaid facts, issue notice to the second respondent returnable by 28.01.2020. Private notice is

also permitted. Call this matter on 28.01.2020.

4. Till then, the personal appearance of the petitioner before the trial Court is dispensed with.

-sd/-
10/12/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, THIRUVANNAMALAI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CCIW, THIRUVANNAMALAI DISTRICT.

CC to M/S.NIRANJAN S.KUMAR Advocate on payment of necessary charges

सत्यमेव जयते

CRL OP.33233/2019

WEB COPY

IN CRL.MP.NO.18329 OF 2019

Date :10/12/2019

RD 07/01/2020