

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.5401 of 2021

and

CrI.M.P Nos.3483 & 3484 of 2021

Murugaiyan

...Petitioner

Vs.

1. Inspector of Police,
Annamalai Nagar Police Station,
Cuddalore District.
Crime No.125 of 2014

2. Muthunayagam

..Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records relating to SC.No.391 of 2017 on the file of the learned Principal Sessions Judge, Cuddalore District and quash the same.

For Petitioner

: Mr.V.Murugesan

For Respondents

: Mr.Mohammed Riyaz
Additional Public Prosecutor
for 1st respondent

ORDER

This petition has been filed challenging the proceedings initiated by the second respondent against the petitioner for the offence under Section 147, 148, 212, 150 read with 120 B and 149 of IPC and Section 3(a)4(b)(i) of Explosive Substances Act 1908 and Section 3 read with 25(1)(B)(a) of Indian Arms Act and Section 4 of TNPPDL 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 below 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 dismissed with a direction to the Court below to complete the proceedings in SC.No.391 of 2017 on the file of the learned Principal Sessions Judge, Cuddalore District, within a period of three months from the date of receipt of a

copy of this order. Consequently, the connected miscellaneous petitions are closed.

19.03.2021

Index: Yes/No
Internet: Yes/No

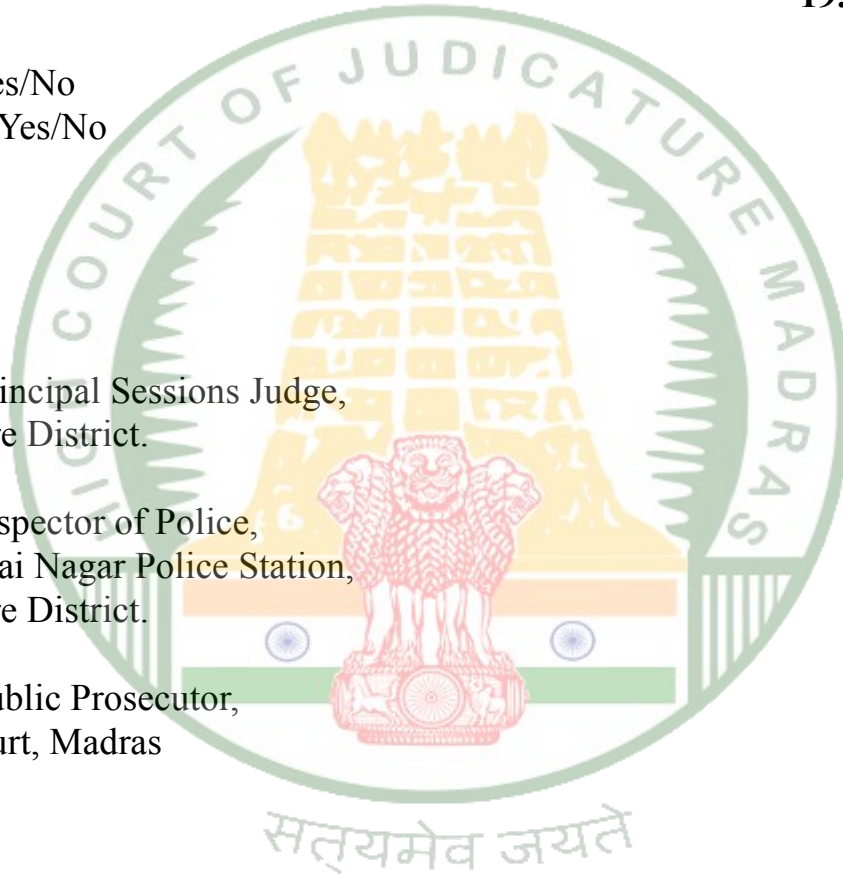
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To

1. The Principal Sessions Judge,
Cuddalore District.

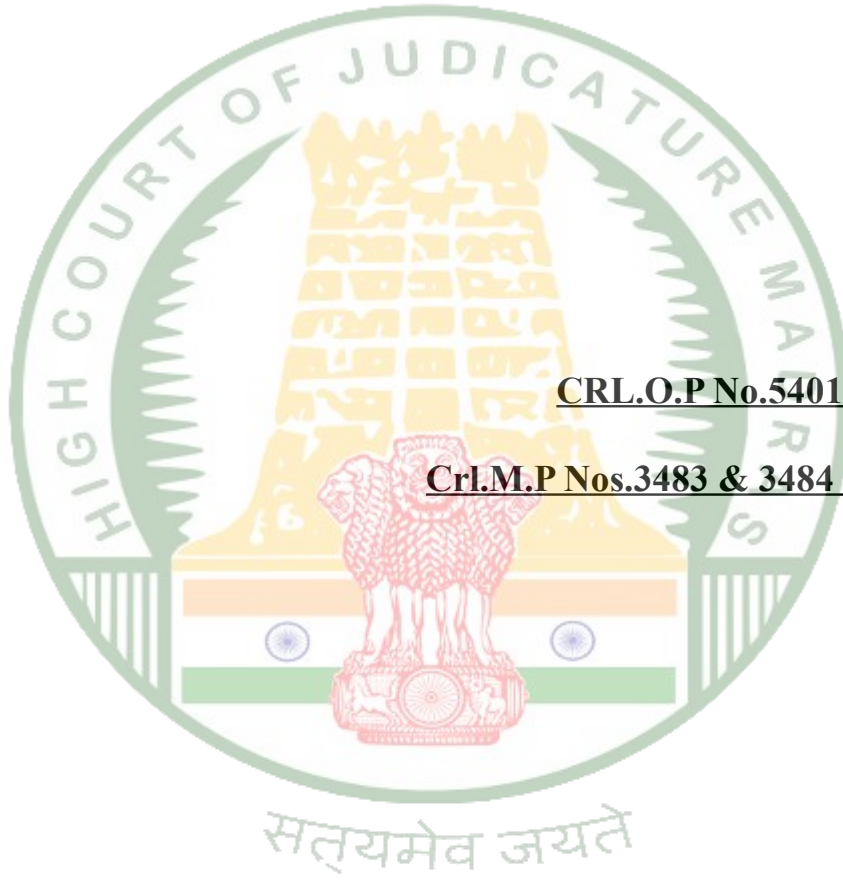
2. The Inspector of Police,
Annamalai Nagar Police Station,
Cuddalore District.

3. The Public Prosecutor,
High Court, Madras



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N.ANAND VENKATESH.J.,



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