

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 29.03.2021
CORAM

THE HON'BLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.6110 of 2021

Madhu Vasudevan

... Petitioner

Vs.

1. State Rep. By
The Inspector of Police,
Central Crime Branch- 2,
Vepery, Chennai

2. Rema Vasudevan

3. Harish Kathuria

4. Mini Kathuria

5. T.Ravindran

6. R.Sulochana Janaki

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the Metropolitan Magistrate CCB & CBCID, Egmore to accept the protest petition filed by the petitioner herein as in the capacity of Special Power of Attorney of Defacto Complainant in the case in Crime No.108 of 2018 on the file of respondent.

For Petitioner : Mr.S.Ramasamy

For Respondents : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor

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O R D E R

This Criminal Original petition has been filed for a direction to the Court below to accept the protest petition filed by the petitioner through his Power of Attorney Agent.

2. It is seen from records that the petitioner is the defacto complainant and based on his complaint, an FIR was registered in Crime No.108 of 2018 by the respondent police. On completion of the investigation, a closure report was filed as

further action dropped after serving an RCS notice on the petitioner.

3. The petitioner aggrieved by the same, has filed a protest petition before the Court below through his Power of Attorney Agent. The petitioner is said to be residing in USA and therefore, he is not in a position to prosecute the case in person and hence, the petitioner has filed this protest petition through his power of attorney agent. The grievance of the petitioner is that this petition has not been accepted by the Court below. Aggrieved by the same, the present petition has been filed before this Court.

4. Taking into consideration the facts and circumstances of the case, there shall be a direction to the Court below to scrutinize the Power of Attorney document and if the same specifically authorizes the agent to prosecute the case on behalf of the petitioner, the same shall be entertained and the Court below shall proceed further to deal with the protest petition strictly in accordance with law.

5. This Criminal Original Petition is disposed of with the above directions.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Central Crime Branch - 2,
Vepery, Chennai.
2. The Public Prosecutor,
High Court, Madras
3. The Metropolitan Magistrate CCB & CBCID, Egmore.

+1cc to Mr.S.Ramasamy, Advocate, S.R.No.20419.

Cr1.O.P.No.6110 of 2021

GSM(CO)
CSR 30.03.2021