

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.3003 of 2021
and
Crl.M.P No.1687 of 2021

Kamesh

...Petitioner

Vs.

1. The State rep.
By the Inspector of Police,
G1 Vepery Police Station,
Chennai.

2. E.Babu

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records in C.C.No.3322 of 2017 on the file of the Chief Metropolitan Magistrate, Egmore and quash the same.

For Petitioner : M/s.T.Dharani

For R1 : Mr.C.Raghavan
Government Advocate

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Section 379 read with 34 of IPC

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 C.C.No.3322 of 2017 on the file of Chief Metropolitan Magistrate, Egmore, Chennai, within a period of

three months from the date of receipt of a copy of this order.
Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

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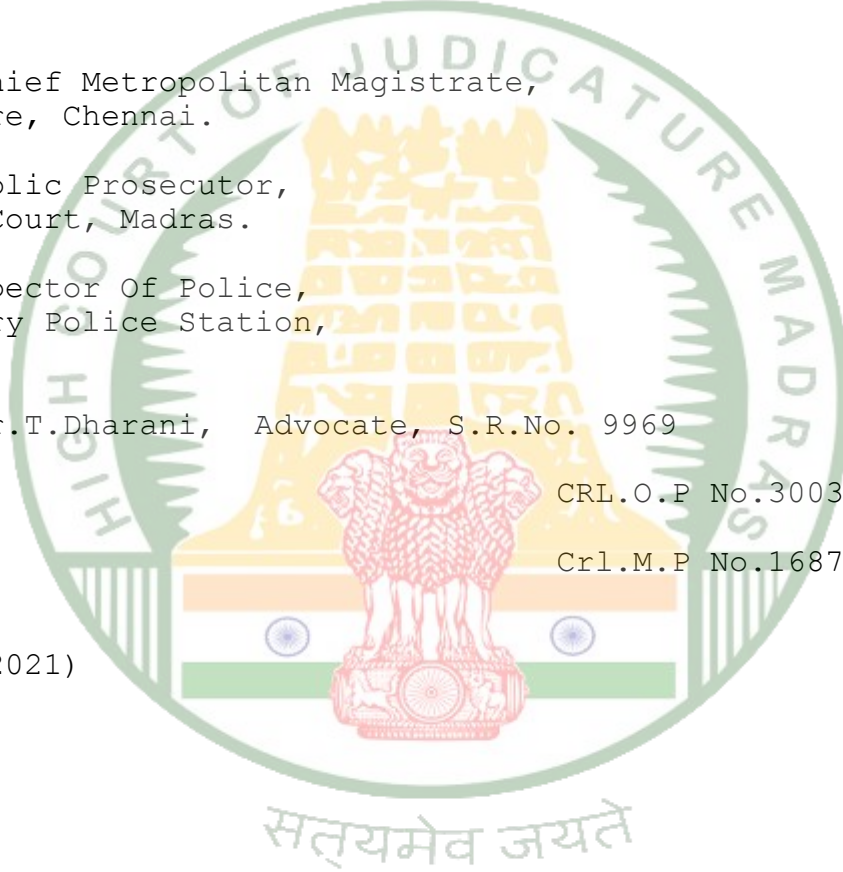
To

1. The Chief Metropolitan Magistrate,
Egmore, Chennai.
2. The Public Prosecutor,
High Court, Madras.
3. The Inspector Of Police,
G1 Vepery Police Station,
Chennai.

+1cc to Mr.T.Dharani, Advocate, S.R.No. 9969

CRL.O.P No.3003 of 2021
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