

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.2467 OF 2021

AND

CRL.M.P.NO.1356 OF 2021

R.Baskar

.. Petitioner

Vs.

The Inspector of Police,
Law and Order,
C-3, Seven Wells Police Station.
Chennai.

.. Respondent

Prayer:

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in respect of the impugned order dated 08.12.2020 in CrI.M.P.No.5923/2020 in C.C.No.632/2018 and set aside the same and consequentially allow the petition in CrI.M.P.No.5923/2020 in C.C.No.632/2018.

For Petitioner : Mr.A.Thirumaran

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

O R D E R

This petition has been filed challenging the order passed by the Court below dismissing the protest petition filed by the petitioner.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent.

3.In the considered view of this Court, a protest petition can be maintained only where some of the accused persons shown in the FIR are ultimately dropped in the final report. In the present case, the persons who are sought to be brought in as accused were never accused persons in the FIR. Therefore, there is no scope for filing a protest petition in this case. If

ultimately in the course of inquiry or trial, a case in made out to add any of them as accused person, the Court can always in exercise of its jurisdiction under Section 319 Cr.P.C., proceed further in accordance with law. Except giving this clarity, this Court does not find any ground to interfere with the order passed by the Court below.

4. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector of Police,
Law and Order,
C-3, Seven Wells Police Station.
Chennai.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Thirumaran, Advocate, S.R.No.11622

Crl.O.P.No.2467 of 2021
and Crl.M.P.No.1356 of 2021

GPL(CO)
CS/15/03/2021

सत्यमेव जयते

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