

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 29.03.2021
CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
CRL.O.P No.3378 of 2021
and
Crl.M.P Nos.1959 & 1961 of 2021

1.Hari @ Haridoss
2.Surya
3.Logesh
4.Amjith
5.Naresh @ Nareshbabu
6.Prabhakaran
7.Logesh @ Kanniyappan

...Petitioners
/ Accused 1 to 7

Vs.

1.The State rep.by
The Sub Inspector of Police,
Guduvanchery Police Station,
Kanchipuram District.

(Crime No.430 of 2016)

...1st Respondent/
Complainant

2.M.Indirajith

...2nd Respondent/
De facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the case in P.R.C.No.33 of 2016, on the file of the learned Judicial Magistrate No.II, Chengalpattu.

For Petitioners : Mr.R.Sasikumar

For Respondents : Mr.C.Raghavan
Government Advocate
for R 1

ORDER

This criminal original petition has been filed challenging the proceedings in P.R.C.No.33 of 2016, on the file of the Judicial Magistrate No.II, Chengalpattu.

2.When the matter came up for hearing on 22.02.2021, this Court found that the case is pending at the committal stage for more than four years and therefore called for a report from the Court below. The Judicial Magistrate No.II, Chengalpattu has submitted a report dt.08.03.2021, wherein, it is stated that the accused persons did not attend the Court regularly and as a result of the same, there was delay in

committing the case to the concerned sessions Court.

3.The learned counsel appearing on either side submitted that all the accused persons appeared on 17.03.2021 and they have been served with the copies under Section 207 of Cr.PC., and the case has already been committed.

4.Taking into consideration the facts and circumstances of the case and the grounds raised by the learned counsel for the petitioners, this Court deems it fit to grant liberty to the petitioners to raise all these grounds under Section 227 of Cr.P.C., before the concerned Sessions Court. In the considered view of this Court, the same will be an efficacious remedy that can be worked by the petitioners based on the materials collected by the prosecution filed along with the final report. Except giving this liberty, no further orders can be passed in this petition.

5.This criminal original petition is disposed of accordingly. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

KP

To

1.The Judicial Magistrate No.II,
Chengalpattu.

2.The Chief Judicial Magistrate,
Chengalpattu at Kancheepuram.

3. The Sub Inspector of Police,
Guduvanchery Police Station,
Kanchipuram District.

4. The Public Prosecutor,
High Court, Madras

+1cc to MR.R.SASIKUMAR, ADVOCATE, SR.NO. 21166

CRL.O.P No.3378 of 2021

KV(CO)

KKN 28.04.2021