

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP No.5648 of 2021
and Crl.M.P Nos.3637 & 3638 of 2021

M.Ajithkumar @ Ajith

...Petitioner

Vs.

1. The Inspector of Police,
K3, Aminjikarai Police Station,
Chennai-29.

2. G.Dhayalan

..Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, call for the records in CC.No.8413 of 2017 pending on the file of the Metropolitan Magistrate-V, Egmore, Chennai and quash the same.

For Petitioner : V.Hemnath

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

ORDER

This petition has been filed challenging the proceedings initiated by the first respondent against the petitioner for offence under Section 379 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 CC.No.8413 of 2017 pending on the file of the

Metropolitan Magistrate-V, Egmore, Chennai, within a period of three months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rli

To

1. The Metropolitan Magistrate-V
Egmore, Chennai.
2. The Inspector of Police,
K3, Aminjikarai Police Station,
Chennai-29.
3. The Public Prosecutor,
High Court, Madras

+lcc to Mr.V.Hemnath, Advocate, S.R.No.18980

CRL.O.P No.5648 of 2021
and

CrI.M.P Nos.3637 & 3638 of 2021

PMK (CO)
KM(21/04/2021)

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