



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Fifth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL MISCELLANEOUS PETITION No.10992 of 2017

in

CRL.O.P.No.17992 of 2017

1 J.LEENA JOSHI
2 P.THANGA PANDIAN

[PETITIONERS/ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
J-9 DURAIPAKKAM POLICE STATION,
CHENNAI-97.

[RESPONDENT/COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay of the all the further Proceedings in S.C.No.176 of 2017 on the file of Learned Principal District and Sessions Jdudge, Chengalpet District pending disposal of the above CRL.O.P.No.17992 of 2017 and quash the same.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.P.A.CHITHRAMANI, Advocate for the petitioner and of M/S.A.DAMODARAN, Additional Public Prosecutor on behalf of the first Respondent the court made the following order:-

The 1st petitioner is the President of the Drivers' Association and the 2nd petitioner is the Driver of the JCB. The case is that the lands were allotted to the Drivers' Association to construct Houses. The defacto complainant attempted to take away the petitioners' property stating that the Government had allotted lands to the Police Department and Metro Water Department which was resisted by the petitioners. He further submitted that the issuance of G.O.Ms.No.250 dated 06.07.2012 was not made public and the petitioners were not aware of the same.



2. The complaint is that the petitioners have entered into the property with a JCB and attempted to demolish the wall. Further the petitioners also filed civil suit and obtained order in their favour suppressing all these facts. Case registered, now investigation completed. Hence, they are facing charges.

3. The learned Additional Public Prosecutor was directed to inform about the particulars of the G.O and also file a report by the Village Administrative Officer as to the actual position on the day of alleged occurrence.

4. The learned Additional Public Prosecutor seeks some accommodation to post the matter after vacation. He also seeks a direction to file a report by the Tahsildar, Sholinganallur as to the actual position on the day of alleged occurrence.

5. Knowing that there are only 4 more days left for summer vacation and the petitioners are coerced to appear before the trial Court, now, the learned Additional Public Prosecutor seeks time after vacation. In view of the same, this Court is inclined to extend the order of stay already granted by this Court on 03.10.2017 till the disposal of this criminal original petition.

6. Post the matter on 13.06.2022, the report by the Tahsildar, Sholinganallur shall be filed by then.

-sd/-
25/04/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, CHENGALPATTU DISTRICT.

2 THE INSPECTOR OF POLICE,
J-9 DURAIPAKKAM, POLICE STATION,
CHENNAI-97.



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

WEB COPY

C.C. to M/S.P.A.CHITHRAMANI Advocate on payment of necessary charges

Order

in
CRL MP.10992/2017

in
CRL.O.P.No.17992 of 2017

Date :25/04/2022

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

RW 28/04/2022