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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2021

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL.O.P.NO.28097 OF 2019

AND

CRL.M.P.NOS.15031 & 15032 OF 2019

R.Suriyagandhi

... Petitioner/1st Accused

Versus

1. The State Represented by
The Inspector of Police,
Civil Supplies CID, Chennai.
(Crime No.313 of 2002)
(C.C.No.1703 of 2004 on the file of
17th M.M.Court, Saidapet, Chennai)

... 1st Respondent/Complainant

2. K.Selvaraj, Deputy Registrar (PDS),
Triplicane - 2, Chennai - 600 005.

... 2nd Respondent/Defacto
Complainant

PRAYER:-

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in C.C.No.1703 of 2004 on file of the 17th Metropolitan Magistrate Court, Saidapet, Chennai and quash the same, insofar as the petitioner is concerned.

For Petitioner : Ms.C.P.Priya

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed to call for the entire records in C.C.No.1703 of 2004 on file of the 17th Metropolitan Magistrate Court, Saidapet, Chennai and quash the same, insofar as the petitioner is concerned.



2. The learned counsel appearing for the petitioner stated that so far the Trial Court was not taken any steps to serve the summons and all these years the case is pending without any progress, thereby the petitioner is put to much hardships from the year 2004. Hence, he prays to allow the petition.

3. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that the daily status of the e-Court services reveals that on 04.10.2021, the case was taken by the Trial Court and for this petitioner (A1) petition under Section 317 of Cr.P.C., was filed, and there was no representation for A2 and A3 provided summons not served. Since, the stay was granted by this Court in this Criminal Original Petition, no further progress in that case.

4. Considering both submissions, now before the Trial Court it is ordered to issue summons to A2 and A3 and adjourned to 22.11.2021 as per the report submitted by the prosecution. Petitioner and 2 others are charged under Section 6(2)(3) of TNSA (RDCS) r/w 7(1)(a)(ii) of EC Act and case take on file as C.C.No.1703 of 2004. Records reveals that summons were not properly served, without any progress, ever since the Court has taken cognizance of the matter. Hence, this Court directing the trial Court to take steps to serve summons to A2 and A3 in the manner known to law and within a period of three months directed to dispose the case.

5. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected criminal miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rna/ham

To

1. The 17th Metropolitan Magistrate Court,
Saidapet, Chennai.
2. The Inspector of Police,
Civil Supplies CID,
Chennai.



3. The Public Prosecutor,
High Court, Madras.

+1cc to Ms.C.P.Priya, Advocate, S.R.No.59532

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BS (CO)
PBS/07/12/2021