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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.6046 of 2021

and

Crl.M.P.Nos.3949 and 3950 of 2021

Lelin Manvel

... Petitioner / Accused

Vs.

1. The State rep. by its
Inspector of Police,
C-5 Kothavalchavadi,
Flower Bazar,
Chennai - 600 001.

...1st Respondent / Complainant

2. Mr.Perumal, Police Officer,
C-5 Kothavalchavadi Police Station,
Flower Bazar, Chennai - 600 001.

(R-2 Impleaded vide order dated 26.10.2021
in M.P.No.10348 of 2021 in Crl.O.P.No.6046
of 2021)

...2nd Respondent

PRAYER: This Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to call for the records culminated in C.C.No.724/2019 on the file of VIII Metropolitan Magistrate Court, George Town, Chennai.

For Petitioner : Mr.K.Sindhuja

For Respondent 1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

For Respondent 2 : No appearance



O R D E R

WEB COPY The Criminal Original Petition has been filed to call for the records culminated in C.C.No.724/2019 on the file of VIII Metropolitan Magistrate Court, George Town, Chennai and to quash the same.

2. M/s.K.Sindhuja, learned counsel for the petitioner would submit that there were quarrel between the petitioner and the defacto complainant. The Policemen has exaggerated and filed false complaint against the petitioner. The ingredients of the offence are not made out in the complaint, thereby, the proceedings pending on the file of the Trial Court is nothing but abuse of process of law.

3.The learned Additional Public Prosecutor appearing for the first respondent would submit that the charge sheet have been framed and trial has been commenced in this case. So far, three witnesses have been examined and trial is progressing. He would submit that the allegation against the petitioner is that the petitioner has assaulted the defacto complainant by the helmet, causing bleeding injuries and he had also intimidated the defacto complainant. The second respondent has cited 12 witnesses. LW2 and LW3 speak about the incident. LW9 and LW10, who are the medical experts speak about the treatment given to the defacto complainant.

4. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for the first respondent.

5. This Court perused the materials available on record. Further, it is seen that in this case trial has been commenced. Therefore, this Court does not find any reasons to quash the proceedings in C.C.No.724/2019 on the file of VIII Metropolitan Magistrate Court, George Town, Chennai. However, direction is issued to the learned VIII Metropolitan Magistrate Judge George Town, Chennai to complete the trial as expeditiously as possible within a period of three (3) months from the date of receipt of a copy of this order.

6.This Criminal Original Petition stands dismissed, accordingly. Connected Miscellaneous petitions are closed. It is



made clear that this Court has not expressed any opinion with regard to the merits of the case before the Trial Court.

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Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

nti/rst

To

1. The VIII Metropolitan Magistrate Court,
George Town, Chennai 600 003.
2. -do through- The chief Metropolitan Magistrate,
Egmore, Chennai
3. The Inspector of Police,
C-5 Kothavalchavadi,
Flower Bazar,
Chennai - 600 001.
4. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.6046 of 2021

NR[co]
NSK 14/03/2022