



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.5900 OF 2021

AND

CRL.M.P.NO.2023 OF 2022

1. Aphro Trust,
Represented by Mr.I.P.Yesudoss,
Having office at the then Address,
No.27/49, 5th Main Road, 3rd Layout,
Teachers colony, Kolathur,
Chennai - 600 099.
2. IPEE Foundation,
Represented by Mr.I.P.Yesudoss,
Having office at the then Address,
No.27/49, 5th Main Road, 3rd Layout,
Teachers colony, Kolathur,
Chennai - 600 099.
3. Mr.I.P.Yesudoss,
Founder & President of Aphro Trust,
Having office at the then Address,
No.27/49, 5th Main Road, 3rd Layout,
Teachers colony, Kolathur,
Chennai - 600 099.

... Petitioners/Accused
1 to 3

Versus

The State Rep. by
The Superintendent of Police,
Economic Offences Wing-II (Hqrs),
Guindy, Chennai.

... Respondent/Complainant

PRAYER:-

Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to direct the Chief Metropolitan Magistrate, Egmore, Chennai to number the petition filed under



WEB COPY

Section 340 of Cr.P.C., and pass appropriate orders on merits and in accordance with law.

For Petitioner : Mr.I.P.Yesudoss
Party-in-person

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The present petition has been filed seeking a direction to the Chief Metropolitan Magistrate, Egmore, Chennai to number the petition filed under Section 340 read with Section 195 Cr.P.C. in C.C.No.7275 of 2019 and pass appropriate orders.

2. The third petitioner, being Founder and President of petitioners 1 and 2 Trust, is facing a case in Crime No.9 of 2016 for the offences punishable under Sections 406, 420, 409 & 120(b) and 409 read with 109 IPC on the allegation of misappropriation of money deposited with the said Trust by the public. Pending trial in C.C.No.7275 of 2019, the petitioner appears to have filed an Application under Section 340 read with Section 195 Cr.P.C questioning the authenticity of the documents produced by the prosecution and contending that the respondent police has willfully and deliberately fabricated the documents and since no order came to be passed on the same, the present petition has been filed.

3. Heard Mr.I.P.Yesudoss, who appeared in person and the learned Additional Public Prosecutor appearing for the respondent.

4. The party in person has submitted that subsequent to filing of the above petition, he had filed some more petitions seeking the same relief and he undertakes to withdraw the subsequently filed petitions except the present one.

5. In the facts and circumstances of the case, a direction is issued to the Learned Chief Metropolitan Magistrate, Egmore at Chennai to take the petition dated 19.11.2020 on the file and pass the orders in accordance with law. It is made clear that this Court has not expressed any opinion with regard to any merits of the petition.



6. Accordingly, the Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

WEB COPY

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

klt

To

1. The Chief Metropolitan Magistrate,
Egmore, Chennai.
2. The Superintendent of Police,
Economic Offences Wing-II (Hqrs),
Guindy, Chennai.
3. The Public Prosecutor,
High Court, Madras.

+3ccs to Mr.I.P.Yesudoss, Advocate, S.R.No.14695

CRL.O.P.NO.5900 OF 2021 AND
CRL.M.P.NO.2023 OF 2022

PMK (CO)
PBS/17/03/2022