



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2022

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.No.24925 of 2021

and

CRL.M.P.No.13741 of 2021

1. Ravikumar,
S/o.Raman
2. Lakshmi,
W/o.Vilvanathan
3. Vilvanathan,
S/o.Velu

... Petitioners/Accused 1 to 3

Vs.

1. The State represented by
The Inspector of Police,
Central Crime Branch, Team-16,
Egmore, Chennai - 600 008.
Crime No.261 of 2010.

2. R.Murugesan,
S/o.P.Rasu

... Respondents/Complainant/Defacto Complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for records in C.C.No.83 of 2013 pending on the file of the learned Metropolitan Magistrate (Special Courts for the Exclusive Trial for Land Grabbing Cases) II, Chennai, quash the same.

For Petitioners	:	Mr.S.Suresh
For Respondents	:	
For R1	:	Mr.A.Gokulakrishnan Additional Public Prosecutor



ORDER

This Criminal Original Petition has been filed seeking to call for records in C.C.No.83 of 2013 pending on the file of the Learned Metropolitan Magistrate (Special Courts for the Exclusive Trial for Land Grabbing Cases) II, Chennai and quash the same.

2. The learned counsel for the petitioners would submit that the petitioners are charged for the offences under Sections 419, 420, 465, 467, 468 read with Section 120(b) of IPC. The offences against the accused persons are not made out. However, the entire dispute in this case relates to private in nature and no public offence has been involved and the parties have also arrived at a compromise in this matter.

3. The learned Additional Public Prosecutor for the first respondent would submit that it is the case where the petitioners by impersonation and fabrication of documents, cheated the defacto complainant. He would further submit that the Trial Court found that the offences are made out and has framed charges. The examination of PW1 and PW2 has already been commenced and the case is now posted for examination of PW3 on 25.02.2022.

4. The learned counsel for the second respondent/defacto complainant would submit that the matter has not been settled between the parties. Hence, he prays that this petition may be dismissed.

5. Based on the materials available on record, the trial Court has framed the charges, pursuant to which, PW1 and PW2 have examined in chief and for the examination of PW3, the case stands adjourned to 25.02.2022.

6. In view of the above, this Criminal Original Petition stands dismissed. However, this Court hereby directs the learned Judicial Magistrate to complete the trial as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of this order. Consequently, connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

arb



To

1. The Metropolitan Magistrate
(Special Court for the Exclusive Trial for
Land Grabbing Centre) II,
Chennai.
2. The Inspector of Police,
Central Crime Branch, Team-16,
Egmore, Chennai - 600 008.
3. The Public Prosecutor,
High Court of Madras.

CRL.O.P.No.24925 of 2021
and
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KG(CO)
SU(07/03/2022)