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Crl OP No. 14293 / 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Criminal Original Petition No. 14293 of 2021
and
Crl.M.P. No. 7803 of 2021

Kalaivannan @ Kalai

... Petitioner

Versus

1. The State rep., by its,
The Inspector of Police,
Pooneri Police Station,
Tiruvallur District.
(Crime No. 202 of 2016)

2.Chandrasekaran

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code seeking to call for the records of charge sheet filed in P.R.C. No. 6 of 2021 on the file Judicial Magistrate No.1, Ponneri and quash the same as illegal.

For Petitioner : Mr. S. Sarath Chandran.

For Respondents : Mr. A. Damodaran,
Additional Public Prosecutor for R1.



Crl OP No. 14293 / 2021

WEB COPY

ORDER

The petition is to quash the final report in P.R.C. No. 202 of 2016 for the offence under Sections 147, 148, 294(b), 337, 333, 506(ii), 307 & 109 of the Indian Penal Code.

2.It is alleged that the petitioner along with the co-accused attacked the defacto complainant.

3.The learned counsel for the petitioner submitted that the petitioner has been falsely implicated and the allegations against him do not attract any of the offences alleged. The learned counsel further submitted that the petitioner is a law graduate and he is unable to enroll himself as a lawyer in view of the pending prosecution.

4.The learned Additional Public Prosecutor would further submit that there are allegations against the petitioner and the matter has to be adjudicated only before the trial Court. He further submitted that the P.R.C. No.202 of 2016 has been committed into S.C. No.62 of 2021 on the file of the Additional District and Sessions Judge, Ponneri.



Crl OP No. 14293 / 2021

WEB COPY 5. This Court finds that the points raised by the petitioner are factual in nature and has to be adjudicated only before the trial Court. In view of the submissions made by the learned counsel for the petitioner that due to the pendency of this case, the petitioner is unable to enroll himself as an advocate, this Court is of the view that the learned Additional District and Sessions Judge, Ponneri may expedite the trial in the above case and in any event complete it preferably within a period of six months from the date of receipt of a copy of this order.

6. With these observations, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

06.06.2023

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Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No

To

1. The Inspector of Police,
Pooneri Police Station,



Crl OP No. 14293 / 2021

Tiruvallur District.

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2. The Judicial Magistrate No.I,
Ponneri.

SUNDER MOHAN, J

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3. The Additional District and Sessions Judge,
Ponneri.

4. The Additional Public Prosecutor,
High Court of Madras,
Chennai.

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