



WEB COPY



CrI.O.P.No.12127 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.12127 of 2021

and

CrI.M.P.No.6850 of 2021

1.Y.Ankineedu Prasad,
Represented by his General Power of Attorney,
A.S.Hansraj

2.A.S.Hansraj

...Petitioners

vs.

1.The Inspector of Police,
Crime Branch, CID,
Chennai.

2.Rajendra Raja

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to Cr.No.6 of 2010 on the file of the suburban police, Chennai which was transferred to the file of the Inspector of Police, Crime Branch, CID Egmore, Chennai vide proceedings of Addl.DGP dated 10.02.2010 and quash the same.

For Petitioners : Mr.D.Nellaiappan



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For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor, for R1

Mr.N.Sudharsan, for R2

ORDER

This criminal original petition has been filed by A1 and A5 to quash the FIR in Crime No.6 of 2010 pending investigation on the file of the first respondent.

2. The Additional Public Prosecutor appearing on behalf of the respondent submitted that one of the accused persons namely Rajendra Raja had filed CrI.R.C.No.1411 of 2011 before this Court against the order passed by the learned Magistrate under Section 156(3) of Cr.P.C., which resulted in the registration of the FIR. In the said revision case, this Court by an order dated 15.06.2012 had issued the following directions:-

“22. On considering the above discussions, arguments of the learned counsels on either side, citations put-forth by them and this Courts opinion on the points listed as (i) to (viii), this Court directs that the order passed in D.No.803 of 2010, on the file of Judicial Magistrate-I, Poonamallee, dated 23.04.2010 be kept at abeyance till disposal of all the civil cases and writ proceedings which are pending on the file of this Court and



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District Munsif Court, Ambattur.

23. In the result, the above Criminal Revision is disposed of with the above observations. Consequently, the order passed in D.No.803 of 2010, on the file of Judicial Magistrate-I, Poonamallee, dated 23.04.2010 is kept at abeyance, till disposal of all the writ proceedings, civil revision petitions, pending before this Court and till disposal of the civil suits pending on the file of the District Munsif Court, Ambattur. Consequently, connected miscellaneous petitions are closed.”

3. The learned Additional Public Prosecutor further submitted that a modification petition was filed against the order and the same came to be dismissed by an order dated 18.11.2015.

4. In view of the above, there is no question of the respondent-police going ahead with the investigation till the disposal of the writ proceedings, civil revision petition and also several suits pending before the concerned Courts. The above order has become final and hence, this criminal original petition can also be disposed of in terms of the above order.

5. This criminal original petition is disposed of accordingly. Consequently, the connected miscellaneous petition is also closed.



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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
nsa

To

1.The Inspector of Police,
Crime Branch, CID,
Chennai.

2.The Public Prosecutor,
Madras High Court,
Chennai 600 104..



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N. ANAND VENKATESH, J.

nsa

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