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Crl.O.P.No.14286 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.08.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.14286 of 2019

A.Juhilin Jinu Jebarson
Petitioner

...

-VS-

State through
The Deputy Superintendent of Police,
Rajaji Bhawan, CBI, SCB,
Chennai.

...Respondent

PRAYER : Criminal Original Petitions has been filed under section 482 of Criminal Procedure Code to direct the respondent CBI to file a proper charge sheet in R.C.No.2(s)/2009/CBI/SCB/Chennai, as directed by the Full Bench of this Court in Crl.O.P.No.2463 of 2010 and Crl.O.P.No.3698 of 2010 dated 25.04.2014 immediately or within a time stipulated.

For Petitioner : M/s.Mahaveersshivaji.S

For Respondent : Mr.K.Srinivasan, Senior Counsel
Special Public Prosecutor (CBI)



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ORDER

This Criminal Original Petition is filed by one A.Juhilin Jinu Jebarson, a practising Advocate and a member of the Madras High Court Advocates Association. He as an individual being aggrieved by the incident which happened in the High Court of Madras complex on 09.02.2009, has filed a petition seeking direction to direct CBI to file a proper charge sheet in R.C.No.2(s)/2009/CBI/SCB/Chennai, as directed by the Full Bench of this Court in Crl.O.P.No.2463 of 2010 and Crl.O.P.No.3698 of 2010 dated 25.04.2014

2. Untoward incident happened on 09.02.2009 and in this connection, Advocates and police have tried their strength physically. They caused damage to the public property. The case was registered by local police, but subsequent to the direction of the Full Bench of this Court, CBI has taken up the investigation. Two cases, one against the batch of Advocates and another against Police personnel were registered and on completion of investigation final reports filed. This petitioner who is arrayed one of the accused in the case registered against a group of Advocates not satisfied with the final report filed against the police personnel, is before this Court.



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3. The learned Special Public Prosecutor for CBI submitted that a supplementary charge sheet was filed by CBI in the year 2016, pursuant to the direction of Full Bench of this Court and if the petitioner is not satisfied with the final report, he has right to file protest petition and this petition for a direction for proper final report is unwarranted.

4. More so, when the matter is very sensitive in nature, the petitioner herein who is arrayed as one of the accused for causing damage to the public property wants to prosecute the police who were maintaining law and order on that day, but there is no specific allegations against any specific persons or incident.

5. This Court find no material to direct the CBI to file proper charge sheet, since final report already filed and same taken on file by the Court. Hence, this Criminal Original petition is dismissed.

16.08.2023

Internet : Yes/No
rpl

Dr.G.JAYACHANDRAN, J.



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To

rpl

1.The Deputy Superintendent of Police,
Rajaji Bhawan, CBI, SCB,
Chennai

2.The Special Pubic Prosecutor (CBI),
High Court of Madras, Chennai.

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