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Crl.O.P.No.18325 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.18325 of 2023
and
Crl.M.P.Nos.12185 & 12187 of 2023

S.Ashokan

...Petitioner

vs.

1.State rep by
The Inspector of Police,
B2, Esplanade P.S., Chennai
(Crime No.1066 of 2022)

2.K.S.Kothandan

...Respondent

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in CC.No.7799 of 2003 on the file of the Chief Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioner : Mr.S.Karthikeyan,
for Mr.Balaji Sankara Moorthy, for R1
For Respondent : Mr.A.Gopinath,
Government Advocate, for R1



CrI.O.P.No.18325 of 2023

ORDER

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This criminal original petition has been filed to quash the proceedings in C.C.No.7799 of 2003 pending on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai.

2. Heard the learned counsel for the petitioner and the respondent and also perused the materials available on record.

3. The case of the prosecution is that on 28.10.2002 at about 10.45 am, the law college students had indulged in creating ruckus in the college and they are said to have damaged the window glass panes. Based on the complaint given by the second respondent, an FIR came to be registered in Crime No.1066 of 2002. Ultimately, the final report was filed before the Court below as against the seven named accused persons. The petitioner has been arrayed as A5.

4. It is brought to the notice of this Court that there has been absolutely no progress in this case for the last 20 years. The learned Government Advocate has also brought to the notice of this Court that already a request has been made for the withdrawal of the case and the decision is pending. No useful purpose will be served in keeping the proceedings pending at this length of time. Till



CrI.O.P.No.18325 of 2023

date, not even charges have been framed and the second respondent, who had given the complaint is no more in service. The very identity of the accused persons will be difficult at this length of time. The very fact that the proceedings are pending for the last 20 years is sufficient punishment to the accused persons. Hence, this Court is inclined to interfere with the proceedings as against all the accused persons.

5. In the light of the above discussion, the proceedings in CC.No.7799 of 2003 on the file of the learned Chief Metropolitan Magistrate, Egmore, is hereby quashed in its entirety. Accordingly, this criminal original petition is allowed. Consequently, the connected miscellaneous petitions are also closed.

16.08.2023

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



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CrI.O.P.No.18325 of 2023

N. ANAND VENKATESH, J.

nsa

To

- 1.The Chief Metropolitan Magistrate,
Egmore, Chennai
- 2.The Inspector of Police,
B2, Esplanade P.S., Chennai
(Crime No.1066 of 2022)
3. The Public Prosecutor,
Madras High Court,
Chennai 600 104..

CrI.O.P No.18325 of 2023
and CrI.M.P.Nos.12185 & 12187 of 2023

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