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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.08.2023

Coram:

The Hon'ble Mr.Justice V.SIVAGNANAM

**Crl.O.P.No.25236 of 2021
and Crl.M.P.Nos.13964 & 13966 of 2021**

D.Hemakumar

...Petitioner

Versus

1.State rep. by
Inspector of Police,
Team – XVI,
Central Crime Branch,
Anti Land Grabbing Cell,
Vepery, Chennai – 600 007.
Crime No.503/2011

2.Mr.P.R.Balaji Prasath

...Respondents

This Criminal Original Petition is filed under Section 482 of Cr.P.C praying to call for the records in C.C.No.5 of 2021 on the file of LG1 Metropolitan Magistrate Court, Egmore, Chennai at Allikulam Complex in Crime No.503/2011 (on the file of the Inspector of Police, Central Crime Branch, Team XVI, Anti Land Grabbing Cell, Vepery, Chennai – 600 007) and quash the same.



For Petitioner : Ms.N.Gomathi
For Respondent - 1 : Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)
For Respondent – 2 : Mr.S.Senthil Kumar

ORDER

Today, when this criminal original petition was taken up for hearing, the learned counsel for the petitioner submitted that the petitioner has filed a petition in Crl.M.P.No.28877 of 2023 under Section 239 of Cr.P.C, before the LG1 Metropolitan Magistrate Court for exclusive trial of CCB Cases (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore at Allikulam, Chennai seeking to discharge him from all the charges leveled against him in C.C.No.5 of 2021. Therefore, the learned counsel sought the permission of this Court to withdraw the present criminal original petition and further, prayed this Court to grant liberty to the petitioner to raise his defense in Crl.M.P.No.28877 of 2023, before the trial Court. The learned counsel has also made an endorsement to that effect in this petition.



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2. In view of the submissions coupled with an endorsement made by the learned counsel for petitioner, this criminal original petition is dismissed as withdrawn and liberty is granted to the petitioner to raise his defense in CrI.M.P.No.28877 of 2023, before the trial Court. The learned Metropolitan Magistrate, LG1 Metropolitan Magistrate Court for exclusive trial of CCB Cases (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore at Allikulam, Chennai is directed to dispose of the CrI.M.P.No.28877 of 2023, within a period of one month from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

21.08.2023

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Index: Yes/No

To

1.The Metropolitan Magistrate,
LG1 Metropolitan Magistrate Court,
Egmore at Allikulam, Chennai.

2.The Inspector of Police,
Team – XVI, Central Crime Branch,
Anti Land Grabbing Cell,
Vepery, Chennai – 600 007.

3.The Public Prosecutor,
High Court, Madras.



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V.SIVAGNANAM, J.

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Crl.O.P.No.25236 of 2021

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