



Crl.M.P.No.17870 of 2023
in Crl.O.P.No.28550 of 2017

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G.K.ILANTHIRAIYAN, J.

This petition has been filed to restore the Crl.O.P.No.28550 of 2017, which was dismissed for non-prosecution vide order dated 21.07.2023 and to restore the same.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the first respondent.

3. It is seen from the records that the Crl.O.P.No.28550 of 2017 was dismissed for non-prosecution on 22.12.2021. Thereafter, it was restored and again it was dismissed for non-prosecution on 21.07.2023. That apart, the Crl.O.P.No.28550 of 2017 was filed to quash the proceedings in C.C.No.524 of 2012 on the file of the learned Judicial Magistrate, Alandur, on the ground that there was two First Information Reports for the very same occurrence.

4. A perusal of records revealed that initially the City Crime Branch, Chennai registered FIR in Crime No.206 of 2010 for the offences under Sections 406, 420, 468 and 506(i) IPC. Thereafter, it was transferred to the file of the first respondent herein. After completion of investigation, filed final report. Therefore, there was no two First Information Reports for the very same occurrence. That apart, now, the trial has been commenced and P.W.1 was examined on the prosecution side.



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5. Therefore, this Court finds no merits to restore the Crl.O.P.No.28550 of 2017. Accordingly, this Criminal Miscellaneous Petition is dismissed.

15.11.2023

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