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Crl.O.P No.31650 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **06.02.2023**

CORAM:

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.31650 of 2019
in Crl.M.P. No.17325 of 2019

Rafi Ahmed

... Petitioner

Vs.

1. Deputy Superintendent of Police,
National Investigation Agency,
New Delhi Cochin (Camp at Chennai)
(R.C. No.16/2019/NIA/DLI)

2. Government of India represented by its
Secretary to Government ,
Ministry of Home Affairs,
CTCR Division,
North Block,
New Delhi.

... Respondents

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code to call for the records of the first respondent relating to the FIR registered by the first respondent in R.C. No.16/2019/NIA/DLI on the file of the respondent, quash the same as against the petitioner abuse of the process of law.



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For Petitioner : Mr.K.S.Gandhi
For Respondent-1 : Mr.R.Karthikeyan
Special Public Prosecutor

ORDER

This Criminal Original Petition has been filed to call for the records relating to the FIR in R.C. No.16/2019/NIA/DLI on the file of the respondent and quash the same as against the petitioner.

2. The learned Special Public Prosecutor submitted that in this case investigation has been completed and charge sheet has been filed in C.C. No.1 of 2020 on the file of the Sessions Court for Exclusive Trial of Bomb Blast Cases & Special Court under the Prevention of Terrorism Act, 2002 and National Investigation Agency Act, 2008, Poonamallee, Chennai.

3. The learned counsel for the petitioner submitted that when the charge sheet was filed, the petitioner's name has been dropped and hence the matter has become infructuous. The learned Special Public Prosecutor has also submitted that so far as the petitioner is concerned, his name has been dropped. As of now, there is no material available as against the petitioner.



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4. Since the charge sheet has been filed without adding the petitioner as an accused, nothing survives for further consideration in this matter.

5. Accordingly, this Criminal Original Petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

06.02.2023

Index : Yes/No
bkn

To:

1. The Deputy Superintendent of Police,
National Investigation Agency,
New Delhi Cochin (Camp at Chennai)
(R.C. No.16/2019/NIA/DLI)
2. The Secretary to Government ,
Government of India
Ministry of Home Affairs,
CTCR Division,
North Block,
New Delhi.
3. The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA, J.,

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