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CrI.O.P.No.2876 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.2876 of 2023
& CrI.M.P.No.1678 of 2023

H.Mahender.

... Petitioner/5th Accused

/versus/

1. The Assistant Commissioner of Police,
CCB-1, Central Crime Branch,
Office of Commissioner of Police,
Vepery, Egmore.
FIR No.84 of 2020.

... 1st Respondent/complainant

2. Ariyal
complainant

... 2nd Respondent/defacto

Prayer: Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records in FIR No.84 of 2020 on the file of Inspector of Police, CCB-1, dated 10.03.2020 and to quash the same as abuse of process of law.

For Petitioner : Mr.V.Raghavachari, Senior Counsel,
for Ms.V.Srimathi

For R1 : Mr.K.M.D.Muhilan
Government Advocate (CrI.Side)

For R2 : Mr.S.Suresh



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ORDER

The petitioner herein is the 5th accused in F.I.R.No.84 of 2020 on the file of Inspector of Police, CCB-I contended that he is no way connected with the offence alleged in the complaint. The transaction was executed by one Selvavinayagam in favour of the petitioner on 07.08.2003 during his life time and the defacto complainant has no locus to initiate proceedings on behalf of Selvavinayagam, after the demise of Selvavinayagam who died in the year 2018.

2. The Learned Government Advocate (Crl.Side) for the 1st respondent states that after completion of investigation final report filed as against two accused persons. The petitioner herein is not arrayed as accused in the final report. It is also further submitted that the final report been taken cognizance by the Special Court, CCB-I in C.C.No.7129 of 2023.

3. In the light of the above fact, nothing survives in this petition to file F.I.R, since the petitioner is not found in the final report.

Accordingly, this Criminal Original Petition is disposed of. Consequently,



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connected Miscellaneous Petition is closed.

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Index : Yes/No.

Neutral Citation : Yes/No.

bsm

Copy to:-

1. The Assistant Commissioner of Police,
CCB-1, Central Crime Branch,
Office of Commissioner of Police,
Vepery, Egmore.
2. The Public Prosecutor, High Court, Madras.

Dr.G.JAYACHANDRAN,J.



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