



Crl.R.C.No.422 of 2020

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

Crl.R.C.No.422 of 2020

State Rep. by
The Deputy Superintendent of Police,
Special Investigation Division,
Crime Branch CID,
Egmore, Chennai – 600 008.
[D-5 Marina P.S. Cr. No. 480/2017]

... Petitioner

vs.

Thirumurugan Gandhi

... Respondent

Prayer: Criminal Revision Petition filed under Sections 397 and 401 of the Criminal Procedure Code, praying to set aside the orders passed by the Chief Metropolitan Magistrate, Chennai in C.M.P.No.4335 of 2019 in C.C.No. 7569 of 2017, dated 18.12.2019.

For Petitioner : Mr.S.Rajakumar
Additional Public Prosecutor

For Respondent : Mr.I.Periaswamy



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ORDER

The present Criminal Revision Petition is filed to set aside the orders passed by the Chief Metropolitan Magistrate, Chennai in C.M.P.No.4335 of 2019 in C.C.No. 7569 of 2017, dated 18.12.2019.

2. It is represented by the learned Additional Public Prosecutor for the revision petitioner that the trial in C.C.No.7569 of 2017 had already commenced. He also pointed out that this Court (Justice P.VELMURUGAN) in Crl.R.C.No.418 of 2020, has observed thus:-

“This Criminal Revision Case has been filed against the order dated 18.12.2019 passed by the learned Chief Metropolitan Magistrate, Egmore, Chennai in C.M.P.No.4334 of 2019.

2. It is seen that the State has filed a petition seeking to stay further proceedings in the Calendar Case till the outcome of further investigation. The said petition was dismissed by the Court below. Challenging the same, the State has filed the present revision.

3. On a perusal of the records, it would reveal



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that the trial has already commenced in C.C.No.7570 of 2017 and most of the witnesses have been examined, except the Investigating officer, who has filed the charge sheet before the Court below. Further, it is not known as to whether any action was taken against the investigating Officer for not conducting the investigation in a fair manner. Since the trial has almost completed, nothing survives for adjudication in the present revision.

4.In view of the above, this Criminal Revision Case is dismissed as infructuous.”

3. In view of the orders passed by the Single Bench of this Court, the learned Additional Public Prosecutor for the petitioner did not press this revision petition and therefore, the Criminal Revision case stands dismissed. No costs.

18.04.2024

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
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R. HEMALATHA, J.
dm

To

- 1.The Chief Metropolitan Magistrate,
Chennai.
- 2.The Deputy Superintendent of Police,
Special Investigation Division,
Crime Branch CID,
Egmore, Chennai – 600 008.

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