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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. No.5988 of 2024
and Crl.M.P. Nos.4364 & 4367 of 2024

Mr.P.Murali

...Petitioner

Vs

1.State Rep. by: The Inspector of Police,
Central Crime Branch (CCB)
O/o. Police Commissionerate of Avadi,
Avadi, Chennai – 600 054.
(Crime No.28 of 2020)

2.Mr.A.K.Sasikumar

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the proceedings pending against the petitioner in CC.No.217 of 2021 on the learned Judicial Magistrate Court No.1, at Poonamalle, Chennai.

For Petitioner : Mr.P.K.Ganesh

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor for R1



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ORDER

This criminal original petition has been filed to quash the proceedings pending against the petitioner in CC.No.217 of 2021 on the file of the learned Judicial Magistrate Court No.1, at Poonamalle, Chennai.

2.This Court is not inclined to entertain this petition in view of the fact that the earlier order passed by this Court dated 18.11.2021 refusing to quash the FIR has already been put to challenge before the Apex Court and the same is pending. An interim order has also been passed by the Apex Court. In view of the same, this Court cannot parelly entertain a quash petition to quash the final report in this case. Unless a final decision is taken in the SLP before the Apex Court, there is no question of entertaining a quash petition before this Court. If the Court below is insisting for the appearance of the accused persons, it has to be brought to the notice of the Apex Court and that will not give a cause of action for the petitioner to move a quash petition parallely before this Court seeking to quash the final report.



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3. This criminal original petition is disposed of in the above terms.

Consequently, connected miscellaneous petitions are closed.

13.03.2024

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

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To

1. The Judicial Magistrate Court No.1, Poonamalle, Chennai.

2. The Inspector of Police,
Central Crime Branch (CCB)
O/o. Police Commissionerate of Avadi,
Avadi, Chennai – 600 054.

2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

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