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CrI.O.P.No.29065 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.29065 of 2024

C.R.Sivakumar

... Petitioner

Vs.

1.The Commissioner of Police,
Office of Commissioner of Police,
132, EVK Sampath Road, Periamet,
Vepery, Park Town, Chennai – 600 007.

2.The Inspector of Police,
Central Crime Branch – I,
EVK Sampath Road,
Vepery, Chennai – 600 007.

3.The Regional Passport Officer,
Rayala Towers,
Nos.2 & 3, IV Floor,
Old No.785, 158, Anna Salai,
Triplicane, Chennai – 600 002.

4.S.Janakiraman

5.S.Hari Krishnan

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents Nos.1 to 3 to take appropriate action to issue look out circular against respondent Nos.4 and 5 till the disposal of the case in



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C.C.No.5336 of 2023 on the file of the learned Metropolitan Magistrate (CCB & CBCID Cases) Egmore, Chennai.

For Petitioner : Mr.Arul Murugan
For Respondents : Mr.S.Sugendran
Additional Public Prosecutor
for R1 and R2

ORDER

This Criminal Original Petition is filed to direct the respondents Nos.1 to 3 to take appropriate action to issue look out circular against respondent Nos.4 and 5 till the disposal of the case in C.C.No.5336 of 2023 on the file of the learned Metropolitan Magistrate (CCB & CBCID Cases) Egmore, Chennai.

2. Learned Additional Public Prosecutor appearing for respondents 1 and 2, on instructions, submitted that on completion of investigation, matter had been taken cognizance of by the learned Metropolitan Magistrate in C.C.No.5336 of 2023 and trial also has commenced. Out of seven witnesses, four witnesses have been examined and the petitioner was examined as L.W.1 and he was also cross-examined by the defence counsel. The respondents 4 and 5/accused have also appeared for all the hearings without fail and the trial is under progress.



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3. In view of the above said submissions, since the trial is under progress, at this stage, the relief sought for the petitioner is not maintainable and this Court of the view that the present petition filed by the petitioner, is a luxury litigation and hence, this Criminal Original Petition is dismissed with costs of Rs.50,000/- (Rupees Fifty Thousand only). The petitioner shall deposit the said costs before the trial Court in C.C.No.5336 of 2023.

21.11.2024

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

1. The Metropolitan Magistrate (CCB & CBCID Cases)
Egmore, Chennai.
2. The Commissioner of Police,
Office of Commissioner of Police,
132, EVK Sampath Road, Periamet,
Vepery,
Park Town, Chennai – 600 007.



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3. The Inspector of Police,
Central Crime Branch – I,
EVK Sampath Road,
Vepery, Chennai – 600 007.
4. The Regional Passport Officer,
Rayala Towers, Nos. 2 & 3, IV Floor,
Old No. 785, 158, Anna Salai,
Triplicane, Chennai – 600 002.
5. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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