

IN THE COURT OF XIV METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI – 08.

Present : **Tr.V.Balasubramanian, B.A.,L.L.M.,**
Metropolitan Magistrate,

M.P.No.41301/2022
in
C.C.No.5562/2006

Wednesday, 14th day of December 2022.

F-3 Nungambakkam Police Station Cr.No.1178/2006 u/s.380 IPC

State by
Inspector of Police,
F3 Nungambakkam Police Station,
Chennai-34.petitioner / Complainant

/Vs/

Seenivasan M/a.28, S/o.Chengalvarayan
No.28, Rangoon Street,
Thousand Light, Chennai-06. Respondent / Accused

JUDGEMENT

1) Assistant Public Prosecutor of this case had filed petition U/s.321 of Crpc seeking permission to withdraw this case and request to refer this case stating that this case is pending for 17 years without any progress and the strenuous efforts by the police to secure the accused proved futile and hence it is fit one for withdrawal before this.

2) Records perused. This court satisfied that the assistant Public Prosecutor has considered the materials and filed this petition in good faith to serve the public interest.

3) On careful consideration of report filed of u/s.321 Crpc. It could be revealed that at the steps taken by the prosecution agency ended as an exercise in futility. No purpose will be served in keeping this matter pending disposal long even after the investigation agency decided to take off from prosecution. Case pending periods inter alia unable to secure accused this petition be allowed in the interest of justice. Property also handed over of the Complainant on 31-07-2006 through A.No.55/2006. (A golden radius weighs about 56,500 grams, A gold bangle weighs around 19,200 grams)

4) Hence in the interest of justice and for better administration of criminal justice. This court satisfied. Hence allows this petition u/s.321Crpc and permit the prosecution to withdraw this case and hence the accused in this case is acquitted from the offence in the Cr.No.1178/2006 u/s.321Crpc.

Date on 14th day of December 2022

XIV Metropolitan Magistrate,
Egmore Chennai-08.