



Crl.O.P.(MD) No.18636 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.18636 of 2023

and

Crl.M.P.(MD)Nos.14703 and 14704 of 2023

Rajivganthi @ Killivalavan

...Petitioner / Accused No.1

Vs.

1.The State Represented by
The Inspector of Police,
Natham Police Station,
Dindigul District.

...1st Respondent / Complainant

2.Venkadesan

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in connection with the impugned charge sheet in S.C. No.134 of 2023 dated 18.09.2023 on the file of the Learned Chief Judicial Magistrate, Dindigul, Dindigul District and quash the same.

For Petitioner :Mr.M.Pandian

For 1stRespondent :Mr.M.Sakthi Kumar

Government Advocate (Crl. Side)



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ORDER

This petition is filed to quash the impugned charge sheet in S.C. No.134 of 2023 dated 18.09.2023 on the file of the Learned Chief Judicial Magistrate, Dindigul, Dindigul District.

2.The case of the prosecution is that the defacto complainant is working in High Tech Arail Company. The first accused is also working in the very same company and the second accused is juvenile and the relative of the first accused. The first accused instigated the second accused/juvenile namely yukeshkumar to steal gold chain belongs to the defacto complainant. On 14.01.2023 at about 06.45 p.m., when the defacto complainant was riding two wheeler near Alagarmalayan Textiles, the accused 1 and 2 followed him in another two wheeler and dashed against the defacto complainant. The defacto complainant fell down and the second accused snatched 2.50 sovereigns gold jewels and a cellphone phone and he escaped from the occurrence place along with the second respondent. On the basis of the complaint given by the defacto complainant, a case was registered. During the course of investigation, it was found that the first



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accused received gold jewels from the second accused and melted the same. The same has been recovered from the first accused and also the mobile phone. Thereafter, final report was filed and the same was taken cognizance by the learned Chief Judicial Magistrate, Dindigul District, Dindigul, in S.C.No.134 of 2023. Hence, the present petition is filed seeking quashment.

3.The contention of the petitioner is that the defacto complainant got previous motive against the petitioner. Because of the said motive only, he has wrongly implicated him.

4.Per contra, the learned Government Advocate (Crl. Side) would submit that on the basis of the confession statement of the second accused, the melted gold ingots (bar) and mobile phone were recovered from this petitioner. Hence, the sufficient materials are available to implicate this petitioner.

5.On Perusal of the records, it is seen that the petitioner was arrested on 10.03.2023 and his confession statement was recorded. During the confession statement, he admitted his involvement and 20 grams of gold ingots, two wheeler



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bearing registration No.TN 59 CZ 278459 were recovered and the same were recorded in the athatchi. Similarly, another accused namely Alaguraja @ Praveen was also arrested and the property, which was used by him in the occurrence place was also recovered. Hence, this materials is sufficient enough to direct the petitioner to face the trial process. I find absolutely no reason to entertain this petition at this stage. The trial must be taken to his logical conclusion. This petition deserves to be dismissed.

6.Accordingly, this Criminal Original Petition stands dismissed.
Consequently, the connected Criminal Miscellaneous Petitions are closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

17.10.2023

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To

1.The learned Chief Judicial Magistrate,
Dindigul, Dindigul District.

2.The State Represented by
The Inspector of Police,
Natham Police Station,
Dindigul District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

VSG

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