IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18-9-2015

Coram

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.23452 of 2015

R. Mandhriyappan .. Petitioner

Vs.

The Inspector of Police,
Soolur Police Station,
Coimbatore
(Crime No.211 of 2013) .. Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. with a prayer to direct the respondent to include the accused namely Gopinath and Rajasekar in C.C.No.206 of 2015 pending on the file of the Judicial Magistrate Court VII, Coimbatore concerned in Crime No.344 of 2013 on the file of the respondent Police.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

COMMON ORDER

This Criminal Original Petition is filed to implead one Gopinath and Rajasekar as accused in C.C.No.206 of 2015, pending trial on the file of the Judicial Magistrate No.VII, Coimbatore.

2. The direction as sought for cannot be issued. However, if evidences disclosing the involvement of the said Gopinath and Rajasekar in the offence surfaces during the course of the trial, the provisions of section 319 of Cr.P.C. can be invoked, as held by the Supreme Court in Jogendra Yadav v. State of Bihar (2015 (8) Scale 442).

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This Criminal Original Petition is dismissed with the above observation.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

vr
To
1. The Inspector of Police, Soolur Police Station, Coimbatore

2. The Judicial Magistrate No.VII, Coimbatore

3. The Public Prosecutor, High Court, Madras.

1 cc to Mr. C.Prabakaran, Advocate Sr.No.51178

Crl.O.P.No.23452 of 2015

bvr(co)
pmk.6.10.2015

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