

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.13844 of 2010

and

MP.No.1 of 2010

E.D.Charles

.. Petitioner

Vs

1.The State Thro'

The Inspector of Police

District Crime Branch

Thiruvelllore Dsitrit, Thiruvelllore.

2.K.Albert

.. Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., praying to call for the entire records relating to the Crime No.30 of 2009 on the file of the respondent police and quash the same insofar as the petitioner is concerned.

For Petitioner :Mr.R.Shanmugasundaram

Senior Counsel for Ms.Karthika

For Respondent :Mr.C.Emalias,

Additional Public Prosecutor

No appearance for R2

O R D E R

This Criminal Original Petition has been filed praying to call for the entire records relating to Crime No.30 of 2009 on the file of the respondent police and quash the same insofar as the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. On a reading of the FIR, it is seen that the property in question belongs to a church and it is alleged by the complainant that the accused herein has alienated by fabricating certain proceedings of the Church Council. Since there are prima facie materials in the complaint for the investigation to proceed, this is not a fit case to quash the prosecution in the

light of the law, laid down in State of Haryana Vs Bhajan Lal [(1992) Supp (1) SCC 335].

In the result, this petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

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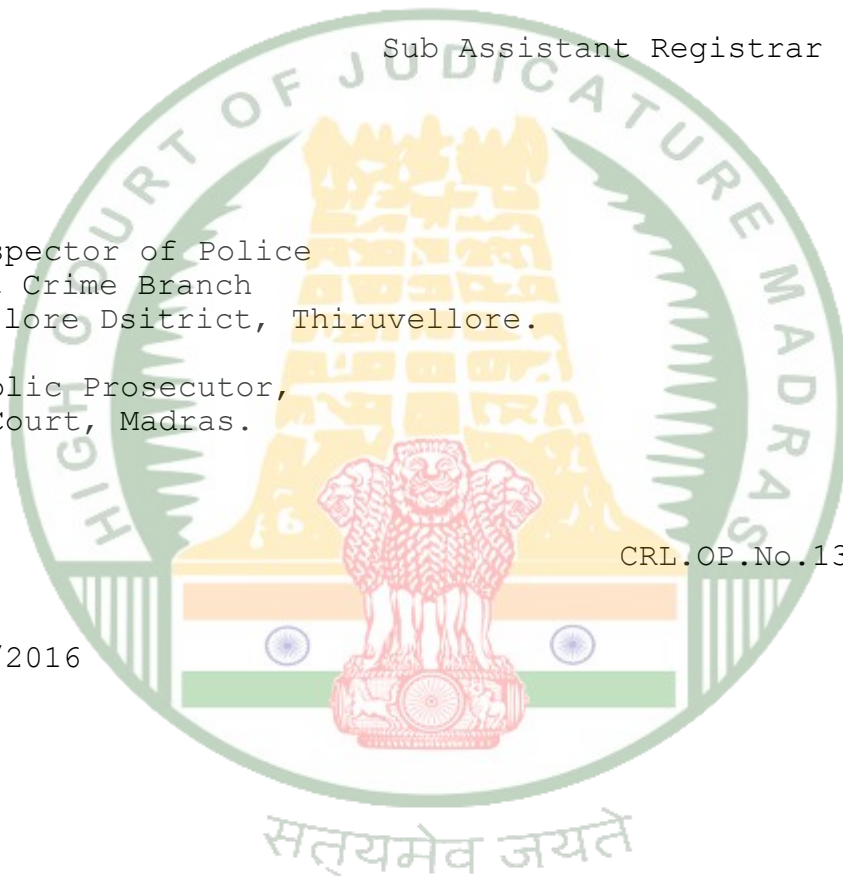
Sub Assistant Registrar

To

1. The Inspector of Police
District Crime Branch
Thiruvellore Dsitrit, Thiruvellore.
2. The Public Prosecutor,
High Court, Madras.

CRL.OP.No.13844 of 2010

vsn[co]
srg 25/10/2016



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