

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2017

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.26093 of 2015

M.Siva Kumar

.. Petitioner/Accused 9

Vs

State represented by
The Inspector of Police,
ACB CBI/ EOW Chennai.

.. Respondent/Complainant

Petition filed under Section 482 of the Criminal Procedure Code, to call for the entire records concerned in charge sheet No.3 of 2009 FIR No.RC3 (E)/2008 dated 21.04.2008 in C.C.No.24 of 2009 on the file of learned XI Judge Additional Special Judge for CBI Cases, Chennai and quash the same.

For Petitioner : No Appearance

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor for CBI Cases

O R D E R

This application has been filed to quash the proceedings as against the accused in C.C.No.24 of 2009 on the file of the XI Judge Additional Special Judge for CBI Cases, Chennai.

2. There is no representation for the petitioner.

3. Heard the learned Additional Public Prosecutor for the respondent and perused the materials available on record.

4. According the learned Additional Public Prosecutor, three witnesses have already been examined and the case is posted for further examination of the witnesses on the side of the prosecution.

5. The only contention taken by the petitioner in the petition is that there is no material evidence to connect the petitioner with the crime and there is no clinching evidence as against this petitioner. Hence, sought for quashing of the charges against the petitioner.

6. It is premature at this stage to find out whether there is any evidence available as against the petitioner. It is the domain of the trial court to consider all the materials produced by the prosecution and find out whether there are allegations to take cognizance of the offence against the accused. Therefore, this Court, prima facie, find that this petition lacks bonafide.

7. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

vrc

To

1. The Inspector of Police,
ACB CBI/ EOW Chennai.
2. The Public Prosecutor,
High Court, Chennai 104.

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SS (CO)
NR 16/06/2017



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