

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2017

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.O.P.No.21199 of 2012

Senthilkumar
S/o.Manickam

..Petitioner/Accused

Vs.

State represented by
Inspector of Police,
B-3 Kattur Police Station,
Coimbatore.

..Respondent/Complainant

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for the records in C.C.No.703 of 2011 on the file of learned Judicial Magistrate II, Coimbatore and quash the same.

For Petitioner : Mr.A.Mohamed Ismail

For Respondent : Mr.M.Mohammed Riyaz,
Government Advocate [Crl.side]

O R D E R

Petitioner seeks quash of proceedings in C.C.No.703 of 2011 on the file of learned Judicial Magistrate II, Coimbatore, wherein the petitioner is accused of commission of offences u/s.304-A and 337 IPC.

2. The case of the prosecution is that on 10.01.2011 at Annapoorna Gowrishankar Hotel, Coimbatore, one Rajanbabu, while loading goods into an elevator, sustained electrical shock and died and two others sustained burn injuries. The allegation against the petitioner is that he, who was in charge of of installation of the lift, was negligent in his duty.

3. Heard learned counsel for petitioner and learned Government Advocate [Crl.side].

4. It is not in dispute that the lift in question was installed on 18.11.2008. Petitioner was placed in charge of the

installation by the company engaged. To inform commission of the alleged offences on 10.01.2011 by one who has installed the lift on 18.11.2008 borders on the ridiculous.

The Criminal Original Petition is allowed. The proceedings in C.C.No.703 of 2011 on the file of learned Judicial Magistrate II, Coimbatore, is quashed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

gm
To

1.The Judicial Magistrate II,
Coimbatore.

2.The Inspector of Police,
B-3 Kattur Police Station,
Coimbatore.

3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.21199 of 2012

ad(co)
ss(21/4/2017)



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