

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2017

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

CrI.O.P.No. 6777 of 2016
& CrI.M.P.Nos.3523 & 3524 of 2016

N. Sivanesan

.. Petitioner

Vs

1.The State rep. by
The Inspector of Police,
B-8, V.H. Road Police Station,
Coimbatore City,
Coimbatore District.
(Crime No.150 of 2006)

2.S. Duraisamy

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. Praying to call for the records in the charge sheet in C.C.No.526 of 2007 on the file of Learned Judicial Magistrate No.V, Coimbatore in Crime No.150 of 2006 pending on the file of the first respondent.

For Petitioner : Mr.P. Kumaresan

For Respondent-1 : Mr.P. Govindarajan,
Additional Public Prosecutor

ORDER

Seeking to quash the proceedings in C.C.No.526 of 2007 on the file of the learned Judicial Magistrate-V, Coimbatore, the petitioner has come up with the present petition.

2. Earlier on 09.08.2017, this Court had called for a report from the learned Judicial Magistrate-V, Coimbatore. On the report dated 13.09.2017, received from the learned Magistrate, it is clarified that the accused name has been earlier written in the charge sheet as N.Sinivasan. However, in the charge sheet submitted by the respondent police, the fourth accused name has been typed as 'Sivanesan', who is the petitioner herein. In view of the same, charge sheet came to be returned by the learned Judicial Magistrate, stating that the name of the accused has been wrongly mentioned in the charge sheet.

3. It is further averred that pursuant to that, the charge sheet came to be re-submitted on 30.07.2007 after making the corresponding corrections and the fourth accused name alone was changed and the name of 'Srinivasan' has been incorporate.

4. In view of the same, the petitioner's contention that he has been named as an accused in the charge sheet cannot be correct. However, no further summons or any other correspondence had been issued to the petitioner. Hence, it is clarified that the petitioner herein is not an accused in C.C.No.526 of 2007 on the file of the learned Judicial Magistrate No.V, Coimbatore.

5. Accordingly, the Criminal Original Petition stands ordered, with the above observations and directions. Consequently, connected miscellaneous petitions are closed.

21.09.2017

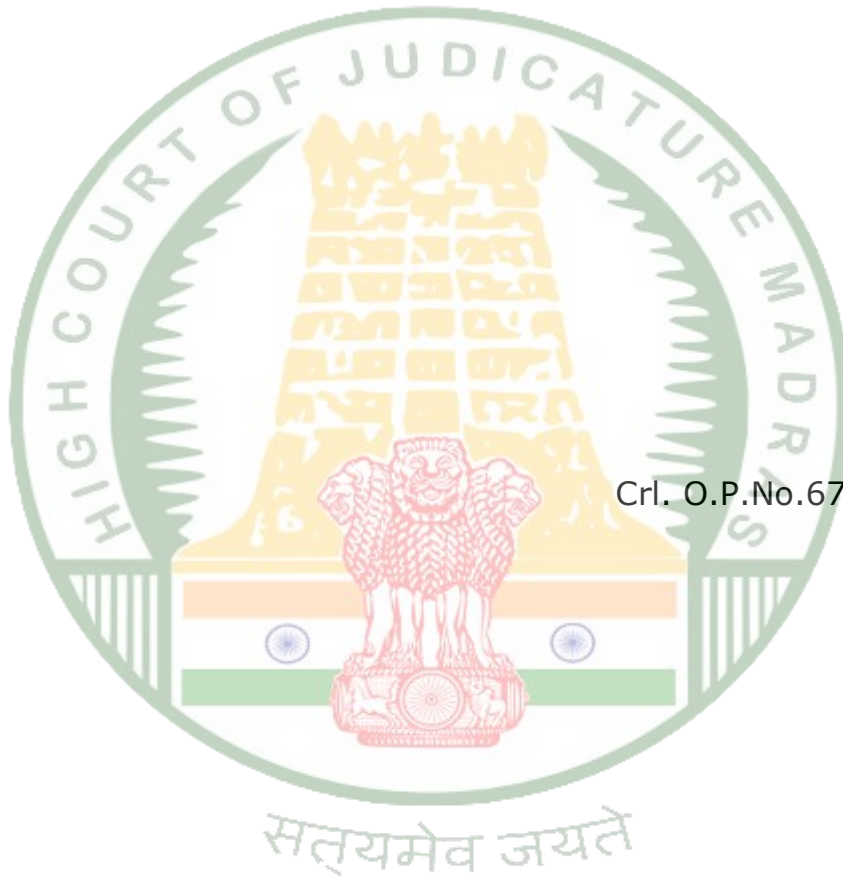
Index : Yes/No
smi

To

1. The Judicial Magistrate No.V,
Coimbatore.
2. The Inspector of Police,
B-8, V.H. Road Police Station,
Coimbatore City,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras

M.S.RAMESH, J.

smi



Crl. O.P.No.6777 of 2016

WEB COPY

21.09.2017