

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.2200 of 2018 and

Crl.M.P.No.856 of 2018

1.V.S.O. Balakrishnan

2.B.Rajan

... Petitioners/Accused

Vs.

1. State through 1st respondent / complainant
The Inspector of Police,
F2-SIPCOT Police Station,
Thiruvallur Distrit.
(Crime No:19 of 2018)

2. Mr.Jayakumar,
The Inspector of Police,
F2-SIPCOT Police Station,
Thiruvallur District. 2nd Respondents/defacto
complainant

PRAYER: Criminal Original Petition filed under Section 482
Cr.P.C. praying that this Court to call for the records in
Crime No.19 of 2018 now pending investigation on the file of
the first respondent police and to quash the same.

For Petitioner : Mr.R.Ganesh Kumar

For R1 : Mr.Kritika Kamal.P
Government Advocte (Crl.Side)

For R2 : No Appearance

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O R D E R

It is submitted by the learned counsel for the petitioner that he has sufficient materials to establish that what was transported in the lorry was not sand and that it was silica sand.

2. In my view, this factual aspect, as to what was transported physically, on the date of occurrence, is a matter for investigation and this Court, while exercising its powers under Section 482 of Cr.P.C., may not be justified in going into the factual aspects.

3. In the result, the Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

msm

To

1. The Inspector of Police,
F2-SIPCOT Police Station,
Thiruvallur Distrit.
(Crime No:19 of 2018).

2. The Public Prosecutor,
High Court, Madras.

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Cr1.O.P.No.2200 of 2018

VGI (CO)
KP (06/03/2018)