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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2018

CORAM :

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P. (MD) No.7948 of 2018
and
Crl.M.P. (MD) No.3636 of 2018

1.Mohamed Mubarack

2.S.Raja Mohammed

... Petitioners

Vs.

1.State represented by IOP,
SPE-CBI-SCB,
Chennai,
Crime No.RC.08 of 2014

2.Mohammed Mushthafa

... Respondents

PRAYER: The Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the charge sheet in S.C.No.91 of 2016 pending disposal on the file of the I Additional District and Sessions Court, Madurai.

For Petitioners : No appearance

For R1 : Mr.S.Sivakumar
Special Public Prosecutor for
Mr.N.Nagendran
Special Government Pleader

For R2 : No appearance

ORDER

This petition has been filed to quash the charge sheet in S.C.No.91 of 2016 pending disposal on the file of the I Additional District and Sessions Court, Madurai.

2.No representation for the petitioners.

3.The learned Special Public Prosecutor for the first respondent would submit that on the case of murder of one Jamal Mohammed, investigation was entrusted to CBI and on completion of the investigation, a final report has been filed against 14



accused, wherein, the petitioners herein have been arrayed as A11 and A12.

4.The material collected during investigation indicates the role of the petitioners herein such as criminal conspiracy and forgery of valuable documents. It is the specific allegation against the petitioners in the final report that the petitioners namely, Mohamed Mubarak, and S.Raja Mohammed, have forged the signature of the deceased Jamal Mohammed, who was later murdered.

5.Jamal Mohammed, was taken to Kodaikanal and murdered and buried. Later the body of the deceased was recovered and DNA test was conducted and on investigation, the investigating agency has found that the accused persons have involved in the murder in order to grab the property.

6.In the light of the above fact, though there is no representation on behalf of the petitioners, on going through the papers, this Court finds that there is no ground to entertain this criminal original petition to quash the criminal case against the petitioners.

7.Hence, this criminal original petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS-I)

To

1.The I Additional District and Sessions Judge,
Madurai.

2.The Inspector of Police,
SPE-CBI-SCB,
Chennai.

3.The Special Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P. (MD) No.7948 of 2018

TR/RP/SAR-I (18.09.2018)2P 4C