

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9629 of 2019
and Crl.M.P.Nos.5056, 5057 of 2019

Ravi

... Petitioner/Accused

Vs

The State rep by
The Inspector of Police,
Sozhatharam Police Station,
Sozhatharam,
Cuddalore District.
(Crime No.174 of 2018)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the charge sheet in C.C.No.150 of 2018 on the file of District Munsif cum Judicial Magistrate Court, Kattumannarkoil, Cuddalore District.

For Petitioner : Mr.G.Pugazhenth

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to call for the records and quash the charge sheet in C.C.No.150 of 2018 on the file of District Munsif cum Judicial Magistrate Court, Kattumannarkoil, Cuddalore District.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3.The case of the prosecution is that the petitioner is the owner of the vehicle namely Mahindra Tractor and Tipper bearing registration No. TN 61 J 4011. On 17.08.2018, the respondent police was seized the petitioner's vehicle and registered the case under Sections 379, 430 of IPC and Section 21(1) of MM Act in Crime No.174 of 2018 and the same is taken on file by the District Munsif cum Judicial Magistrate Court, Kattumannarkoil,

Cuddalore District in C.C.No.150 of 2018 on 02.11.2018 for the offence under Sections 379, 430 of IPC. Hence the petitioner filed this Criminal Original Petition.

4.The Hon'ble Supreme Court in the case of 2018 SCC Online SC 974 Mohan Lal vs The State Of Punjab on 16th August 2018. It is stated that the de-facto complainant and the Investigation Officer are one and the same person.

5.Accordingly, this Criminal Original Petition is allowed. Consequently, the connected criminal miscellaneous petitions are closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

rna

To

- 1.The District Munsif cum Judicial Magistrate Court, Kattumannarkoil, Cuddalore District.
- 2.Do through The Chief Judicial Magistrate, Cuddalore.
- 3.The Inspector of Police, Sozhatharam Police Station, Sozhatharam, Cuddalore District.
- 4.The Public Prosecutor, High Court, Madras.

+1 cc to Mr.g.Pugazhenthii, Advocate, Sr.No. 35386

CSL/13.05.2019

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