

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.23368 of 2018

and

CrI.M.P.No.13073 of 2018

S.Vishnu Kumar

...Petitioner

Vs.

1.The State
rep.by its Inspector of Police,
Vadavalli Police Station,
Coimbatore District.

2.M.Kalaiarasan

...Respondents

Petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining to the charge sheet in P.R.C.No.24 of 2015 on the file of the Judicial Magistrate-VI, Coimbatore.

For Petitioner : Mr.J.R.Prabhakaran

For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor for R1

O R D E R

This Criminal Original Petition has been filed to quash the charge sheet in P.R.C.No.24 of 2015 on the file of the Judicial Magistrate-VI, Coimbatore.

2.Despite repeated opportunities given, there is no representation for the second respondent, who is stated to be the de facto complainant in respect of Crime No.506 of 2013.

3.When this Criminal Original Petition was taken up, the learned Additional Public Prosecutor appearing for the first respondent has fairly submitted that there is no specific or particular complaint recorded against the petitioner herein, who is arrayed as 25th accused.

4.On a perusal of the First Information Report as well as the other connected materials, it is seen that there is no clinching evidence so as to point out the guilt of the petitioner herein. Considering the fact that the petitioner is a Law Graduate and that there is no clinching evidence or a particular complaint recorded against the petitioner herein, the proceedings in P.R.C.No.24 of 2015 on the file of the Judicial Magistrate-VI, Coimbatore, in respect of the petitioner herein, is quashed and the Criminal Original Petition is allowed. Consequently, the connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Vadavalli Police Station,
Coimbatore District.

2.The Judicial Magistrate-VI,
Coimbatore.

3.The Public Prosecutor,
Madras High Court,
Chennai-600 104.

+1cc to Mr.J.R.Prabhakaran, Advocate, SR.No.8908/19
(dated: 30/04/2019)

सत्यमेव जयते

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kak (26/02/2019)

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