



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2019

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P(MD).No.13949 of 2019

S.Jeyaram

... Petitioner

Vs.

1. The Inspector General of Police
(Crime Branch)
Dr.Rathakrishnan Salai
Mylapore, Chennai - 600 004.

2. The Superintendent of Police
District Collector Office
Virudhunagar District
Virudhunagar

3. The Inspector of Police
Rajapalayam North Police Station
Rajapalayam
Virudhunagar District
(Crime No.604 of 2019)

... Respondents

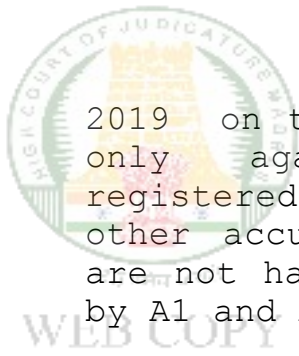
Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to Call for the record in C.C.No.20 of 2019 on the file of Judicial Magistrate, Rajapalayam and quash the charge sheet in C.C.No.20 of 2019 on the file of the Judicial Magistrate, Rajapalayam and further directing the respondents reinvestigate the case in Crime No.604 of 2017 on the file of the Rajapalayam North Police Station and file fresh charge sheet.

For Petitioner	:	Mr.J.Imran Khan
For Respondents	:	Mr. K.Suyambulinga Bharathi
No.1 to 3	:	Government Advocate(Crl.Side)

O R D E R

This Criminal Original petition has been filed to quash the charge sheet in C.C.No.20 of 2019 on the file of the Judicial Magistrate, Rajapalayam and further directing the respondents reinvestigate the case in Crime No.604 of 2017 on the file of the Rajapalayam North Police Station and file fresh charge sheet.

2. The learned Government Advocate(Crl.Side) would submit that on the complaint lodged by the petitioner a case has been registered in Crime No. 604 of 2017 for offences under Sections 120(B), 294(b), 354, 420, 467, 468, 471 and 506(ii) of IPC. After completion of investigation the respondent police filed final report and the same has been taken cognizance in C.C. No. 20 of



2019 on the file of the learned Judicial Magistrate, Rajapalayam only against three persons. Originally the case has been registered against 10 accused persons. He further submitted that other accused person are admittedly subsequent purchasers they are not having absolutely any knowledge about the crime committed by A1 and A2.

3. Considering the above facts and circumstances of the case, further investigation cannot be ordered now. Further the petitioner is at liberty to invoke Section 319 of Cr.P.C before the trial court during trial. If any incriminating materials are found as against other accused persons to attract those offences, the trial Court is directed to consider the application filed by the petitioner and pass orders on merits and in accordance with law.

4. With the above observation and direction, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

aav

To;

1. The Inspector General of Police
(Crime Branch), Dr.Rathakrishnan Salai
Mylapore, Chennai - 600 004.
2. The Superintendent of Police
District Collector Office
Virudhunagar District, Virudhunagar
3. The Inspector of Police, (crime Branch)
Rajapalayam North Police, Station,
Rajapalayam ,Virudhunagar District
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court.

+1 CC to M/s.J. IMRAN KHAN, Advocate (SR-90648[F] dated
01/10/2019)

Crl.O.P(MD) No. 13949 of 2019
01.10.2019

_KM/(11.10.2019) 2P 6C