

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.07.2020

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.30021 of 2015

and M.P.No.1 of 2015

and Crl.M.P.No.1352 of 2016

Sundarasamy

... Petitioner

Vs.

1.State By.

The Inspector of Police,
District Crime Branch,
Coimbatore,
Crime No.30 of 2015.

2.Pappusamy @ Murugesan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to Crime No.30 of 2015 on the file of the Inspector of Police, District Crime Branch, Coimbatore and quash the same.

For Petitioners : Mr.Suresh Babu
for Mr.S.Gunalan

For Respondents : Mr.C.Iyyapparaj
Additional Public Prosecutor for R1
Mr.C.Deivasigamani for R2

O R D E R

This petition has been filed to quash the F.I.R in Crime No.30 of 2015.

2. The learned counsel for the petitioner submits that it is a family dispute, the defacto complainant is the younger brother of the petitioner. The petitioner was taken in adoption by their relatives and the properties were settled to the petitioner. Aggrieved over the same, the defacto complainant has given a false complaint against the petitioner.

3. The learned Additional Public Prosecutor appearing for the 1st respondent would submit that on completion of investigation in Crime No.30 of 2015, the respondent police filed charge sheet before the the Judicial Magistrate Court

No.V, Coimbatore, which has been taken on file as C.C.No.110 of 2018 and later on the point of jurisdiction the charge sheet was transferred to Judicial Magistrate Court No.VI, Coimbatore and renumbered as C.C.No.1301 of 2019. He further submitted that there are totally 5 accused involved in this case and the petitioner was arrayed as A1. He would further submit that totally there are 13 witnesses in this case and the same was posted for trial on 12.03.2020. Thereafter, due to Covid-19, the case was adjourned.

4. The learned counsel for the 2nd respondent submitted that in view of the submissions made by the learned Additional Public Prosecutor charge sheet has been filed and hence, nothing more to add.

5. In view of the above, nothing survives for adjudication in this petition and hence, the same is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate No.V,
Coimbatore.

2.The Judicial Magistrate No.VI,
Coimbatore.

3.The Public Prosecutor,
High Court, Madras.

4.The Inspector of Police,
District Crime Branch,
Coimbatore.

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CP (CO)

RMP (30/09/2020)