

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.12291 of 2020

1.M.Senthilraja
S/o G.R.Muthusamy
No.3/48, Manjakadu
R.Goundampalayam Post
Rasipuram Taluk
Namakkal District - 637 408.

2.K.Subramanian
S/o M.Kandhasamy
No.11A, Ellappa Street
Rasipuram Post & Taluk
Namakkal District - 637 408.

3.N.Rajasekaran
S/o Natesan
No.5/83, Mariamman Koil Street
Bodinaickenpatti Post
Senthamangalam Taluk
Namakkal District - 637 408.

4.K.Athiappan
S/o Kuppusamy
No.1/101, Bazaar Street
Thoppapatty, Rasipuram
Namakkal District - 637 408.

5.V.Arjunan
S/o Vedham
C-74, TNHB Colony
Kollapatty Animoor Post
Tiruchengodu
Namakkal District - 637 408.

...Petitioners

Vs.

1.State Rep by its
The Inspector of Police
Namakkal Town Police Station
Namakkal.
(Crime No.46 of 2019)

2.S.Ramados
Sub Inspector of Police
Now working at
Mallasamuthram Police Station
Namakkal District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in Crime No.46 of 2019 on the file of the first respondent, the Inspector of Police, Namakkal Town Police Station, Namakkal, and quash the same as far as the petitioners/accused persons are concerned.

For Petitioners : Mr.M.Saravana kumar
For Respondents : Mr.S.Karthikeyan
Additional Public Prosecutor for R1

O R D E R

This petition has been filed to quash the proceedings in Crime No.46 of 2019 on the file of the first respondent, the Inspector of Police, Namakkal Town Police Station, Namakkal, and quash the same as far as the petitioners/accused persons are concerned.

2.The petitioners have been arrayed as accused for alleged offences under Sections 143, 341, 505(1)(b) of IPC and Section 7 (1)(a) of Criminal Law Amendment Act, based on the complaint given by the 2nd respondent herein dated 25.01.2019. It is brought to the notice of this Court that, when the co-accused R.Magesh Kumar had challenged the investigation in Crime No.46 of 2019, this Court by an order dated 28.08.2018 passed in CrI.O.P.No.23181 of 2019 had quashed the investigation proceeding insofar as R.Magesh Kumar is concerned. The averments in the complaint reveal that the overt act attributed to the petitioners herein are similar to the co-accused - R.Magesh Kumar. Since this Court had already quashed the investigation insofar as R.Magesh Kumar is concerned, it would be appropriate that similar order is passed in favour of the petitioners herein.

3.In the light of the above observations, the investigation in Crime No.46 of 2019 on the file of the 1st respondent insofar as relates to the petitioners herein stands quashed.

4.Accordingly this criminal original petition stands allowed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

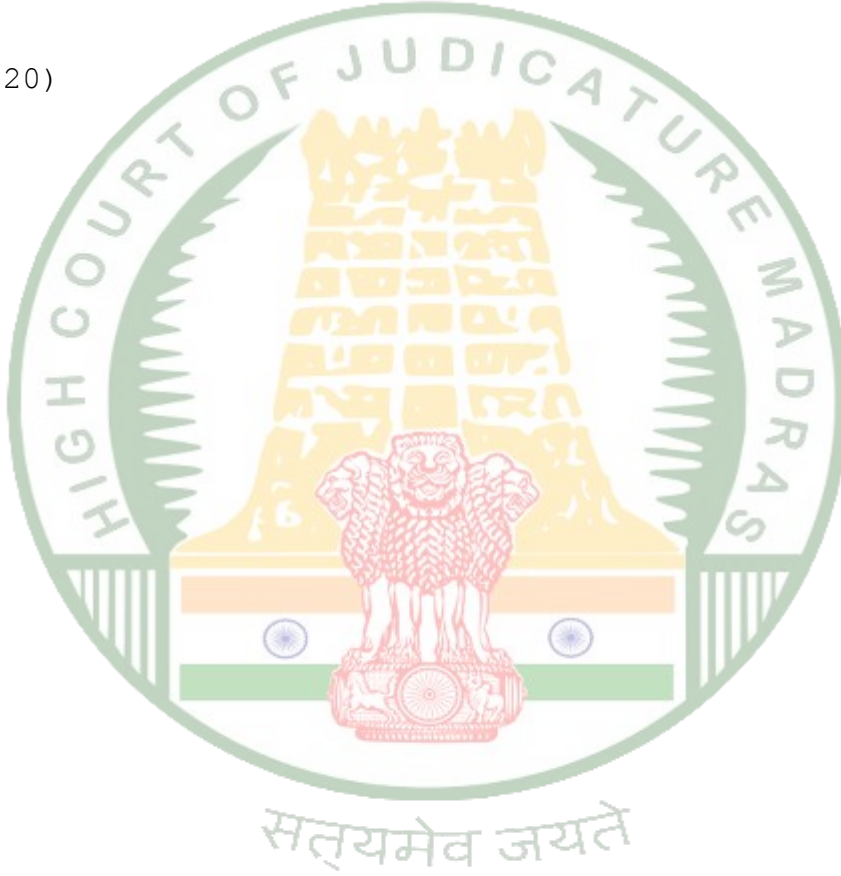
1.The Inspector of Police
Namakkal Town Police Station
Namakkal.

2.The Public Prosecutor
High Court of Madras.

+3cc to Mr.M.Saravana Kumar, Advocate in SR.27232

Crl.O.P.No.12291 of 2020

GN (CO)
RV(15/9/2020)



WEB COPY