

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.33415 of 2014

and M.P.No.1 of 2014

S.Ramesh Kumar @ Thol Kudimaindhana,
S/o.Subburathinam.

... Petitioner/A7

-Vs-

1.State by:

The Inspector of Police,
Mettupalayam Police Station,
Coimbatore District.
(Crime No.1503 of 2011)

...1st Respondent/Complainant

2.Amhed Sunaith,

...2nd Respondent/
Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records connected with the Charge Sheet in P.R.C.No.52 of 2012 pending on the file of the learned Judicial Magistrate, Mettupalayam and quash the same as against the petitioner (A-7) is concerned.

For Petitioner : Mr.K.Thilageswaran

For Respondent : Mr.R.Ravichandran for R1
Government Advocate (Crl.side)

O R D E R

This petition has been filed to quash the charge sheet in P.R.C.No.52 of 2012, pending on the file of the learned Judicial Magistrate, Mettupalayam.

2.The learned counsel for the petitioner would submit that the petitioner has been arrayed as 7th accused in the charge sheet and there is no allegation as against this petitioner except that he arranged a house for rent for the accused persons. Therefore, the charge sheet filed against him in P.R.C.No.52 of 2012 is liable to be quashed.

3.The learned Government Advocate (Crl.side) would submit that on the basis of the confession statement of co-accused, the petitioner was added as an accused. The co-accused have

specifically spoken about the involvement of this petitioner in the offence. Therefore, the petition is liable to be dismissed.

4. On reading of the F.I.R. and the report filed under Section 163 Cr.P.C., there is allegation against this petitioner and one of the co-accused have spoken about his involvement in the offence that he had arranged for a rented house for the accused persons. Whether the petitioner is well aware of the intention of the accused persons or not, whether he has arranged for a rented house or not, are the materials to be decided after trial. At this stage, this Court is not inclined to quash the charge sheet by invoking Section 482 Cr.P.C.

5. Accordingly, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to take all his defense during the trial. Connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

1. The Inspector of Police,
Mettupalayam Police Station,
Coimbatore District.
(Crime No.1503 of 2011)

2. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s. Thilageswaran Advocate srl4162

CrI.O.P.No.33415 of 2014
and M.P.No.1 of 2014

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