



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.OP.No.20536 of 2021
and Crl.M.P.No.11165 of 2021

1.Dinesh @ Dinesh Kumar
2.Chella @ Selvamani
3.Gobi
4.Apple @ Madheswaran
5.Pikku @ Prakas
6.Rajesh
7.Panneer Selvam

... Petitioners

Versus

1.The State of Tamil Nadu,
Rep. by The Inspector of Police,
Veeranam Police Station,
Veeranam,
Salem District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order dated 02.09.2021 in Crl.M.P.No.356 of 2021 in S.C.No.168 of 2017 on the file of the III Additional District Judge, Salem.

For Petitioners : Mr.K.Selvaraj

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

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O R D E R

This Criminal Original Petition is filed to set aside the order dated 02.09.2021 in Crl.M.P.No.356 of 2021 in S.C.No.168 of 2017 on the file of the III Additional District Judge, Salem.

2.The petitioners are A1 to A7 in S.C.No.168 of 2017 had filed a petition before the III Additional District Court, Salem, under Section 91 Cr.P.C. seeking History Sheet Records of three



persons viz., Pukkamurugan @ Murugan with H.S.No.323 of 2012, PW16 - G.P.Raja with H.S.No.358 of 2011 and PW12 - Sethupathy with H.S.No.356 of 2011. In support of his defence and further questions pertaining to these aspect is to be put to PW12 and PW16 and to the Investigating Officer i.e. PW18, in order to prove the innocence of the petitioners and also to confront the witnesses. Despite the same, the lower Court had dismissed the same, against which the present petition is filed.

3.The learned Government Advocate [Cr1. Side] today submitted the certified copy of the History Sheet records of G.P.Raja H.S.No.358 of 2011 and Sethupathy H.S.No.356 of 2011. They both were PW16 and PW12 respectively in S.C.No.168 of 2017.

4.Considering the submissions and on perusal of the certificate copy of the History Sheet records, it is seen that as regards Pukkamurugan @ Murugan with H.S.No.323 of 2012, he is the person who was murdered in this case and after his death the above said H.S.No.323 of 2012 has been closed by the respondent police. As regards, PW16 - G.P.Raja H.S.No.358 of 2011 and PW12 - Sethupathy H.S.No.356 of 2011, certified copies of the History Sheet records produced and handed over to the learned counsel appearing for the petitioners. Now the petitioners grievances have been addressed.

5.In view of the same, this Court directs the learned counsel appearing for the petitioners to produce the same before the Lower Court in S.C.No.168 of 2017, in support of his defence, the trial Court can look into these documents and consider the same.

6.With the above directions, this Criminal Original Petition stands disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

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To

1.The III Additional District Judge,
Salem.



2.The Inspector of Police,
Veeranam Police Station,
Veeranam, Salem District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Selvaraj, Advocate SR.No.59336

Cr1.OP.No.20536 of 2021

KSM(CO)
CB(29/11/2021)