



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 7/12/2021

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.3467 of 2017
and
Crl.M.P.Nos.2509 and 2510 of 2017

V. Rengaraj ... Petitioner

Vs

The State
rep. By The Inspector of Police
City Crime Branch
Salem City.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the criminal proceedings in C.C.No.43 of 2008 pending on the file of the learned Judicial Magistrate No.I, Salem and quash the same.

For Petitioner ...Mr.K.Sathish

For Respondent ...Mr.S.Vinoth Kumar
Government Advocate

O R D E R

This Criminal Original Petition has been filed to quash criminal proceedings in C.C.No.43 of 2008, pending on the file of the learned Judicial Magistrate No.I, Salem.

2. Totally, there are eight accused. The charge against the accused is that the accused obtained bogus certificate as SC and ST, who belong to Forward Community, from A.1, and cheated the State and Central Government Officers and Nationalised Bank, so as to enable A.2 to A.7 to get jobs in the above Department offices and thereby, A.1 committed an offence punishable under Sections 477 (A) and 420 of the Indian Penal Code.

3. Learned Government Advocate (Criminal Side) produced an order, dated 16/9/2019, made in Crl.O.P.No.16229 of 2013, where, in respect of A.1 to A.7 similar petition in Crl.O.P.No.16229 of



2013 has been filed to quash C.C.No.43 of 2008 and the same was dismissed by this Court, on 16/9/2019.

4. Submission of the petitioner before this Court is that Community Certificate was put under challenge. Therefore, unless the decision is taken, they cannot be prosecuted. Such a ground has no legs to stand. As the prima facie materials unearthed by the investigation officer to show that the certificates appear to be forged and the same were obtained from A.1, it is for the prosecution to prove the same before the trial Court. In view of the above, this Court is not inclined to entertain this Criminal Original Petition.

5. In the result, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

mvs.
To

1. The Judicial Magistrate No.I,
Salem.
2. The Inspector of Police,
City Crime Branch,
Salem City.
3. The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.K.Sathish, Advocate Sr.64502

Crl. O.P. No.3467 of 2017

kg[co]
srg 20/12/2021