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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.8638 of 2017

1.Siva Ramakrishnan
S/o.Rathina Sababathy

2.Sumathi,
W/o.Siva Ramakrishnan

...Petitioners / Accused 1 & 2

Vs.

1.State represented by,
The Inspector of Police,
District Crime Branch,
Erode District
Crime No.38 of 2010

...1st Respondent / Complainant

2.Madhevan,
S/o.Madheva goudan

...2nd Respondent / Defacto
Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for entire records in connection with the proceedings in C.C.No.525 of 2013 pending on the file of the Chief Judicial Magistrate, Erode and quash the same.

For Petitioners : Mr. G.Pavendhan

For Respondents : Mr. R.Kishore Kumar
Government Advocate (Crl.Side)
for R1

O R D E R

(This case has been heard through video conference)

This Criminal Original Petition has been filed to quash the proceedings for the alleged offences under Sections 420, 464 @ 419, 467, 468, 471 r/w 109 of IPC.

2.Though the learned counsel appearing for the petitioner is not ready on the ground that bundle is misplaced. Whereas the



learned Government Advocate (Criminal Side) appearing for 1st respondent would submit that the entire prosecution witnesses have been examined and the matter has been posted for arguments on 20.12.2021. Submissions are recorded.

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3. As all the witnesses have been examined, and the matter is only adjourned for arguments on 20.12.2021, it is the duty of the Trial Court to appreciate the evidence and to find out whether the offence charged is made out or not against the accused. At this stage, this Court will not exercise its power under Sec.482 of CrI.P.C. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

gd/rpp

To

1.The Chief Judicial Magistrate,
Erode.

2.The Inspector of Police,
District Crime Branch,
Erode District

3.The Public Prosecutor,
High Court, Madras.

CrI.O.P. No.8638 of 2017

CA(CO)
RVM(01/12/2021)