



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2021

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRL. O.P. NO.27470 OF 2017 AND
CRL. M.P.NOS.15698 & 15699 OF 2017

S.Prabhakaran
S/o.Shankaran

....Petitioners/Accused

Versus

1. State represented by
Inspector of Police
Namakkal Police Station
Namakkal

2. Mr.C.Rajini

....Respondents

PRAYER :

Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records in C.C.No.193 of 2017 on the file of the Judicial Magistrate No.1, Namakkal and quash the same.

For Petitioners ... Mr.C.D.Johnson

For Respondent ... Mr.S.Vinoth Kumar
Govt. Advocate (Crl.side) for R1
Mr.K.V.Sridharan for R2

O R D E R

This petition has been filed to quash the proceedings in C.C.No.193 of 2017 pending on the file of Judicial Magistrate No.1, Namakkal for the offences under Sections 406 and 420 IPC.

2. The crux of the prosecution case against the petitioner is that the petitioner/accused, being the employee of the financial company, has removed the parts of the seized vehicle and sold it for a sum of Rs.10,47,925/-. The prosecution has examined many witnesses in this case and the evidence adduced by the witnesses also point out that there are allegations against



the petitioner about removing of the parts from the seized vehicle and committed breach of trust besides the other offences.

3. The contention put forth by the learned counsel for the petitioner, which is almost regarding the factual aspects, cannot be gone into at this stage. Whether the offences have been made out or not can be gone into only on the basis of appreciation of the evidence, which is in the domain of the trial Court.

4. In such view of the matter, I do not find any merit in the petition and the same is dismissed. The trial Court is directed to expedite the trial without any further delay. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gpa/gba

To

1. Judicial Magistrate No.1,
Namakkal.
2. The Chief Judicial Magistrate,
Namakkal.
3. The Inspector of Police,
Namakkal Police Station,
Namakkal.
4. The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.K.V.Sridharan, Advocate, S.R.No.67004.

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PA(CO)
PM/07/01/2022