

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRL.O.P. NO.13390 OF 2022

AND

CRL.M.P.NOS.7170 & 7171 OF 2022

1. Vijayakumar
2. Manikandan

... Petitioners/
Accused 2 & 3

Vs.

1. The State Represented by,
The Sub Inspector of Police,
C-2, Race Course Police Station,
Coimbatore - Post & District.
(Crime No.85 of 2016).

2. Sivakumar

... Respondents/
Defacto Complainant

PRAYER:

Criminal Original Petition is filed under Section 482 of Cr.P.C., pleaded to call for the records in S.T.C.No.1451 of 2022 on the file of the Judicial Magistrate No.III, Coimbatore and quash the same.

For Petitioners: Mr.D.Veerasekharan
For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to quash the S.T.C.No.1451 of 2022 on the file of the Judicial Magistrate No.III, Coimbatore.

2. The petitioners are arrayed as A2 and A3 in Crime No.85 of 2016. As far as A1 is concerned, already this Court by an order dated 18.04.2022 quashed the charge sheet filed under

Section 75 of the City Police Act. On perusal of the entire materials collected by prosecution, it appears that names of the petitioners are subsequently inserted and identity of the petitioners has not been established.

3. In view of the entire statements, the same will not constitute the offence. Considering the fact that the final report has already quashed as against A1 in CrI.O.P.No.4497 of 2019 vide order dated 18.04.2022, the proceedings in S.T.C.No.1451 of 2022 on the file of the Judicial Magistrate No.III, Coimbatore is quashed with regard to the petitioners.

4. Accordingly, this Criminal Original Petition is allowed. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ham/rgi

To

1. The Sub Inspector of Police,
C-2, Race Course Police Station,
Coimbatore - Post & District.
2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.D.Veerasekharan, Advocate, S.R.No.39409

CrI.O.P. No.13390 of 2022
and
CrI.M.P.Nos.7170 & 7171 of 2022

VGII(CO)
PM/11/07/2022