



WEB COPY



CrI.O.P.No.15857 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CrI.O.P.No.15857 of 2022
and CrI.M.P.Nos.8945 & 8947 of 2022

1.Ramesh
2.Loganayaki

.. Petitioners

Versus

1.The State Rep. by
Deputy Superintendent of Police
Organized Crime Unit
Crime Branch CID
Salem City

2.The Joint Director
Director of Medical Education
Chennai

.. Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to the impugned Charge Sheet in C.C.No.132 of 2017 on the file of the Hon'ble Judicial Magistrate-I, Dharmapuri and quash the same as illegal insofar as the petitioners herein is concerned.

For Petitioner : Mr.R.Esakkiraja

For Respondents : Mr.E.Raj Thilak for R1
Addtional Public Prosecutor



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ORDER

This Criminal Original Petition is filed challenging the Charge Sheet in C.C.No.132 of 2017, pending on the file of the learned Judicial Magistrate-I, Dharmapurai based on the FIR registered for the offences under Section 420, 465, 468, 471 and 197 of IPC r/w Section 19 of the Transplantation of Human Organs and Tissues Act, 1994 and consequently, quash the same as illegal insofar as the petitioners herein are concerned.

2. The learned counsel for the petitioners submitted that they are nowhere connected with the issue and they have been falsely implicated in the FIR, as the accused.

3. Heard both sides. On perusal of the final report, it would reveal that there is serious charge of illegal kidney racketting. This Court is of the view that the material unearthed by the prosecution has to be tested by the Trial Court. Hence, at this stage, the factual aspects and probative value statement cannot be looked into by this Court.



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4. In view of the above, this criminal original petition stands dismissed.

No costs. Consequently, connected miscellaneous petitions are closed.

12.07.2022

Index : Yes / No
dhk



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N. SATHISH KUMAR, J.

dhk

To

1.The Deputy Superintendent of Police
Organized Crime Unit
Crime Branch CID
Salem City

2.The Joint Director
Director of Medical Education
Chennai

3.The Public Prosecutor,
High Court, Madras.

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