



Crl.O.P.No.19825 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.19825 of 2019 and
Crl.M.P.No.10159 of 2019

D.Arul Raman

... Petitioner

/vs/

State Rep. by
The Inspector of Police,
Ranipet Police Station,
Vellore District.
(Crime No.472/2017)

... Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to call for the records in Crime No.472 of 2017 on the file of the respondent police and quash the same.

For Petitioner

... Mr.Venkatesan.T

For Respondent

... Mr.A.Gopinath,
Govt. Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to call for the records in Crime No.472 of 2017 on the file of the respondent police and quash the same.



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2. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) appearing for the respondent.

3. The petitioner is the first accused. The case of the prosecution is that on 03.11.2017 at about 9.00 p.m. when the police party went to the place of occurrence for inspection on getting secret information, found the accused and others were illegally taking sand from Palar River Bed; after seeing the police, they tried to run away from the place of occurrence by warning each other. Since the accused were telling each other's name, especially the first petitioner's name by initials 'ARS', he has also been impleaded as an accused. After the accused fled away from the occurrence, the vehicle was seized and checked and it was found that to be containing four units of river sand.

4. The learned counsel for the petitioner submitted that he is not the owner of the lorry which was seized by the police; he has been falsely impleaded in this case.



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5. The learned Government Advocate (CrI.Side) submitted that there are enough materials seen in the FIR itself to implead the petitioner as an accused.

6. The occurrence was witnessed by the police party who had gone to the place of occurrence for inspection on getting secret information. The persons who fled away from the occurrence by warning each other had uttered the name of this petitioner by his initials 'ARS'. Unless a detailed investigation is allowed to be done, the involvement of the petitioner cannot be known. It is not a matter which does not disclose a case on the face of it. Hence I find no reasons to quash the proceedings initiated against the petitioner.

7. In the result, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

23.12.2022

Index: Yes/No
Internet: Yes/No
gsk



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To

1. The Inspector of Police,
Ranipet Police Station,
Vellore District.

2. The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA ,J.

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