



Crl.O.P.No.28419 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2022

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

Crl.O.P.No.28419 of 2022 and
Crl.M.P.No.17468 of 2022

S.Harish
(known as Arish in charge sheet)

...Petitioner

Vs.

1. The state Rep by
the Inspector of Police,
Neyveli Township Police Station,
Cuddalore District.
(Crime No.23 of 2022)

2. Satheesh Kumar

...Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the entire records connected with the Charge sheet in C.C.NO.110 of 2022 dated 05.07.2022 pending on the file of the learned District Munsif cum Judicial Magistrate, Neyveli, quash the same in so far as the petitioner/A2 is concerned.

For Petitioner : Mr.M.Muthu Yazhini

For 1st Respondent : Mr.S.Santhosh,
Government Advocate (Crl. side)



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ORDER

This Criminal Original Petition is filed to quash the Charge sheet in C.C.No.110 of 2022 dated 05.07.2022 pending on the file of the learned District Munsif cum Judicial Magistrate, Neyveli in so far as the petitioner/A2 is concerned.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the 1st respondent.

3. The learned counsel for the petitioner submitted that the petitioner has been implicated in this case only on the confession given by the co-accused and it is a weak piece of evidence.

4. The records would show that the case has been registered by the 1st respondent on the allegation that his vehicle bearing Registration No.TN 31 CW 4971 having Iron rod measuring 200 kg, have been stolen. Nine witnesses have been listed as prosecution witnesses and the petitioner herein is said to have been implicated on the confession given by the co-accused. It is also stated that the CCTV footage and eyewitnesses are

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also available in this regard. When there are sufficient materials available on record, the points which the petitioner now submitted can be looked into during trial. Since the charges have already been framed and the trial is going to be commenced, it is appropriate to direct the petitioner to participate in trial and put forth all the points now made by him as defence at the time of trial.

5. With the above observation, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

21.11.2022

vum
Index:yes/No
Speaking order / Non speaking order

To
1. The Inspector of Police,
Neyveli Township Police Station,
Cuddalore District.

2. The Public Prosecutor,
Madras High Court,
Chennai.



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R.N.MANJULA,J.

vum

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