



Crl.O.P.No.29835 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.29835 of 2022
and
Crl.M.P.Nos.18281 & 18283 of 2022

A.Ashok Kumar

... Petitioner

Vs.

1.The Inspector of Police,
B1, Sivakanchi Police Station,
Kancheepuram District.
(Crime No.246 of 2017)

2.Revathy

. ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in FIR No.246 of 2017 on the file of the respondent police and P.R.C.No.48 of 2017 on the file of the Judicial Magistrate I, Kancheepuram and quash the same.



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For Petitioner : Mr.B.Bharath

For Respondents : Mr.S.Santhosh for R1,
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.246 of 2017 on the file of the respondent police and P.R.C.No.48 of 2017 on the file of the learned Judicial Magistrate I, Kancheepuram.

2. The learned counsel for the petitioner submitted that there is no specific overt act alleged against the petitioner, who is the 11th accused in this case. Only the allegation made against the petitioner in the FIR and final report is that he along with A10 stood near the house of Saravanan as look out and also given tip off as to the arrival of the said Saravanan. This is not enough to charge the accused for the offence under Section 302 of IPC.

3. The learned Government Advocate (crl.side) submitted that Mr.Karthick has given specific statement implicating the petitioner and Nelson Mandela that they have sighted the Saravananan and his movements



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and intimated the same to the other accused and aided them to commit murder.

It is further submitted that final report is filed against the petitioner and the other accused for the offence under Section 147, 148, 302, 120B, 34, 114, 109 and 149 of IPC. The case is pending only for the appearance of accused.

4. On perusal of records, this Court finds that there are enough materials to frame charges against the accused with aid of Sections 120B, 34, 149 and 109 of IPC for the murder of deceased Saravanan. Therefore, the relief sought by the petitioner cannot be granted.

5. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected Criminal Miscellaneous Petitions are closed.

07.12.2022

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

shk



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G.CHANDRASEKHARAN, J.

shk

To

1.The Inspector of Police,
B1, Sivakanchi Police Station,
Kancheepuram District.

2.The Public Prosecutor,
High Court of Madras.

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and
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