



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.17083 of 2021

and

Crl.M.P. (MD)Nos.9254 and 9256 of 2021

A.Karuppaiah ... Petitioner/5th Accused
Vs.

1.State rep. by
The Inspector of Police,
C.S.C.I.D.,
Trichy.
(In Crime No.227 of 2015)

... 1st Respondent /
Investigation Officer

2.N.Sugumar,
Inspector of Police,
Civil Supplies C.I.D.,
Trichy. ... 2nd Respondents / Defacto complainant

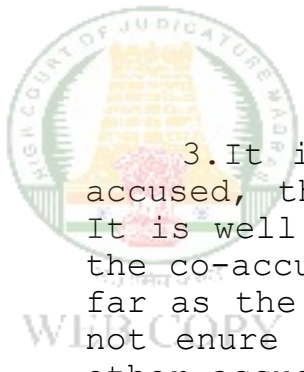
Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.176 of 2015 on the file of the Judicial Magistrate No.VI, Trichy and quash the charge sheet and the consequential further proceedings as against the petitioner.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.B.Thanga Aravindh,
Govt. Advocate (Crl. Side)

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

2.The petitioner is shown as fifth accused in C.C.No.176 of 2015 on the file of the Judicial Magistrate No.VI, Trichy for the offences under Section 6(4) of Tamilnadu Scheduled Commodities (RDCS) Order, 1982 r/w. Section 7(1)(a)(ii) of Essential Commodities Act, 1955.



3.It is not in dispute that except the confession of the co-accused, there is no other material against the petitioner herein. It is well settled that conviction cannot rest on the confession of the co-accused. Therefore, the impugned proceedings stand quashed as far as the petitioner is concerned. The benefit of this order will not enure in favour of the other accused. The trial against the other accused will have to independently go on.

4.This criminal original petition is allowed on these terms. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The Judicial Magistrate No.VI,
Trichy.
- 2.The Inspector of Police,
C.S.C.I.D.,
Trichy.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-3559[F] dated 02/02/2022)

Crl.O.P(MD)No.17083 of 2021
01.02.2022

SRK(CO)
TR(17.02.2022) 2P 5C