



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE VIVEK KUMAR SINGH

Crl.O.P.No.7957 of 2022

and

Crl.M.P.No.4613 of 2022

N.Rajesh Kumar

..

Petitioner

Vs.

1.The Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.

2.Parthasarathi

..

Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records relating to the case in Crime
No.260/2021 dated 29.09.2021, on the file of the respondent and to
quash the same as illegal and incompetent against the petitioner.

For Petitioner : Mr.R.Poornima

For Respondent-1: Mr.L.Baskaran, GA (Crl. Side)



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ORDER

This Criminal Original Petition has been filed by the petitioner to quash the proceedings against him in Crime No.260/2021 dated 29.09.2021, on the file of the first respondent police.

2. Heard Ms.R.Poornima, learned counsel for the petitioner and Mr.L.Baskaran, learned Government Advocate (Crl. Side) appearing on behalf of the State.

3. The contention of the learned counsel for the petitioner is that the petitioner was working as a Supervisor in Indus Towers and was levelled against the charge of theft of 65 litres of diesel in the said concern. He submitted that the petitioner did not handle the diesel and has no nexus with the said offence and prayed to quash the FIR.

4. The learned Government Advocate submitted that the statements made in the complaint constitutes the offences for which a case has been registered against the petitioner herein and hence, there is no basis for the petitioner to seek for quashing the same.



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5. Considering the submissions made on either side, this Court is of the opinion that since the petitioner was only a Supervisor and has no nexus with the offence of theft of diesel as he does not handle it in the said concern, the case registered against the petitioner is liable to be quashed.

6. In the result, the Criminal Original Petition stands allowed. Consequently, the proceedings in Cr.No.260 of 2021 dated 29.09.2021 on the file of the first respondent herein is quashed. Consequently, the connected Miscellaneous Petition is closed.

07.12.2023

Index:Yes/No
NCC :Yes/No

DP



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VIVEK KUMAR SINGH.J,

DP

To

- 1.The Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.
- 2.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.7957 of 2022
and
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