



WEB COPY



Crl.OP.No.12256 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.12256 of 2023

and

Crl.MP.No.7471 of 2023

1.Sathish Kumar

2.Saranraj

... Petitioners

Vs.

1.State Rep. By

The Inspector of Police,
Minjur Police Station,
Thiruvallur District
(Crime No. 415/2022)

2.VVSN Rao

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code to call for records relating to CC No.280 of 2022 on the file of Inspector of Police, C C No. 280 of 2022, Minjur Police Station, Thiruvallur District and to quash the same.

For Petitioner : Mr.P.Chandrasekar

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)
for R1
R2 service awaited



Cr.OP.No.12256 of 2023

ORDER

WEB COPY

This Criminal Original Petition is filed to quash the CC No.280 of 2022 pending on the file of Inspector of Police, Minjur Police Station, Thiruvallur District.

2. This is a case where metal scrap in the NTECL Company under CISF Security was stolen by using Lorry bearing Regn.No.TN-15-A5-8589. Based on the confession given by the driver namely Sathish Kumar, the connivance of other three accused who were employees under NTECL who facilitated to steal the scrap and remove it from the premises of NTECL had come to light and final report was filed against three of the Office Staff of the Company and the driver.

3. The learned counsel appearing for the one of the accused Sathish Kumar, Staff of the Company of NTECL Company is before this Court to quash the case on the ground that there is no overt act attributed against him and he is working as a Supervisor under UPL Contract in NTECL Company. Except the confession statement of the co-accused, there is no incriminating materials against him.



CrI.OP.No.12256 of 2023

4. The learned Government Advocate (CrI.Side) submitted that the scrap stolen from the premises was traced by CISF Personnel and recovered. The driver had implicated other three persons engaged by NTECL Company. The materials collected during the course of investigation is enough to proceed against these accused for the offence under Sections 380 and 34 of IPC.

5. This Court, on going through the records is in agreement with the contention made by the learned Government Advocate (CrI.Side) that for framing charges and proceeding against this petition, there is enough material collected by the prosecution.

6. The guilt of the petitioner will be proved if the witnesses stand by their version. Hence, the petition for quash is dismissed. Consequently, the connected miscellaneous petition is closed.

Vv

13.10.2023



CrI.OP.No.12256 of 2023

To

WEB COPY

1. The Inspector of Police,
Minjur Police Station,
Thiruvallur District
2. The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



CrI.OP.No.12256 of 2023

Dr.G.JAYACHANDRAN,J.

Vv

CrI.OP.No.12256 of 2023

13.10.2023