



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.10.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22633 of 2023
and
Crl.M.P. Nos.15826 & 15827 of 2023

Vimal

... Petitioner

-VS-

1.State by The Inspector of Police,
D-1, Ramanathapuram Police Station,
Coimbatore City, Coimbatore.

2.D.Chandrakumar

...Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in C.C. No.1969 of 2021 on the file of Judicial Magistrate No.VI, Coimbatore and quash the same.

For Petitioners : Mr.N.Ponraj

For R1 : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner herein facing trial for the offences under Sections 406 & 420 of IPC in C.C. No.1969 of 2021, on the file of the Judicial Magistrate No.VI, Coimbatore.



2. The learned counsel for the petitioner states that two contra statements been given by the defacto complainant, one as found in the Statutory Notice issued under Section 138 of the Negotiable Instruments Act, 1881 and another in the complaint before the learned Judicial Magistrate No.VI, Coimbatore filed under Section 156(3) of Cr.P.C, these two self-destructive contradictory case, suffice to quash the case pending against him, since no ingredient to attract Section 420 of IPC.

3. After hearing the learned Counsel for the petitioner at length and perusing the documents, this Court is of the view that since charges framed and trial commenced, it has to reach its logical end. Analysing the evidence summarily without deciding it by examining the witnesses will lead to miscarriage of justice. Hence, this petition is dismissed with liberty to the petitioner herein to canvass all points raised here and any other points which will be in his favour before the trial Court. Consequently, connected miscellaneous Petitions are also dismissed.

09.10.2023

Internet : Yes/No
Index : Yes/No
rkp



To

WEB COPY

1. The Judicial Magistrate VI,
Coimbatore.
2. The Inspector of Police,
D-1, Ramanathapuram Police Station,
Coimbatore City, Coimbatore.
3. The Public Prosecutor,
Madras High Court, Madras.



WEB COPY

Crl.O.P.No.22633 of 2023



Dr.G.JAYACHANDRAN, J.

rkp

Crl.O.P.No.22633 of 2023
and
Crl.M.P. Nos.15826 & 15827 of 2023

09.10.2023