



CrI.O.P.No.11381 of 2022

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2024

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CrI.O.P.No.11381 of 2022

and

CrI.M.P.No. 6566 of 2022

N.Sivakumar

... Petitioner

Vs.

1. The State,
rep. by the Inspector of Police,
City Crime Branch,
Coimbatore.

2. K.Narayanareddy

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.1900 of 2020 on the file of Judicial Magistrate No.VII, Coimbatore and quash the same.



Crl.O.P.No.11381 of 2022

For Petitioner : Mr.J.Jayan for
Mr.P.Saravana Sowmiyan
For Respondents : Mr.S.Vinoth Kumar,
Govt. Advocate (Crl. Side) for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.1900 of 2020, on the file of Judicial Magistrate No.VII, Coimbatore.

2. Heard both sides.

3. The petitioner is arrayed as Accused in the F.I.R. in Crime No.28 of 2020 registered for an offence under Sec.409 and 420 of I.P.C. based on the complaint given by the 2nd respondent/defacto complainant. Subsequently, the charge sheet has been filed and the same was taken on file in C.C.No.1900 of 2020 on the file of Judicial Magistrate No.VII, Coimbatore and the same is pending. Now, the petitioner filed this petition praying to quash the charge sheet initiated against him.



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4. Today, when the matter taken up for hearing, learned Government Advocate (Crl. Side) appearing for 1st respondent would submit that out of 7 witnesses, already 5 witnesses were examined and all the witnesses were cross-examined by the petitioner. Hence, no further adjudication required in this petition and the same may be closed.

5. In view of his submissions that out of 7 witnesses, already 5 witnesses were examined and they were cross-examined by the petitioner, at this stage, I am not inclined to quash the proceedings initiated in C.C.No. 1900 of 2020. However, liberty is granted to the petitioner to raise all his defence before the trial court. Accordingly, this Criminal Original Petition is closed. Consequently, connected Criminal Miscellaneous Petition is also closed.

15.03.2024

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To

1. Inspector of Police, City Crime Branch, Coimbatore.

2, The Public Prosecutor, High Court, Madras.

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T.V.THAMILSELVI, J.

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