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Crl.OP.No.19018 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Criminal Original Petition No.19018 of 2023
and Crl MP Nos.12728 and 12729 of 2023

B.Sudhakar

... Petitioner

Vs.

1. State of Tamil Nadu
Rep. by The Inspector of Police,
North Police Station,
Tirupur District,
Crime No.1188 of 2019.

2. Sivasubramaniam

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to call for the records and quash the Final Report in C.C.No.261 of 2023, pending trial on the file of the learned Judicial Magistrate No.I, Tiruppur.



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For Petitioner : Mr.B.Ganesamurthy

For Respondents : Mr.K.M.D. Muhilan,
Govt. Advocate (Crl. Side), for R1

Mr.N.Umapathy, for R2

ORDER

For forging the RC Book and selling a BMW car owned by the Company, the Police has investigated the matter and filed the final report.

2. The learned Government Advocate (Crl. Side) submits that summons for examination of P.W.1 to 4 were issued and the matter stands posted on 30.09.2024.

3. The learned counsel appearing for the petitioner submits arguable points to quash the compliant, and he wants to file additional document.

4. The prosecution based on the materials collected during the investigation has recorded the statement of the witnesses, who had



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facilitated the petitioner herein to get a duplicate RC by affixing his photo. The original RC which is in the name of the Company, affixed with the photograph of the complainant is pledged with the financier, while so, suppressing this fact, the duplicate RC book with the photograph of the petitioner have been obtained and the same has been sold. Since the prima facie material available for commission of cognizable offence, the trial cannot be sorted out by exercising power under Section 482 of Cr.P.C..

5. Hence the Criminal Original petition stands dismissed. Consequently, the connected miscellaneous petitions are closed.

23.08.2024

jv

Index: Yes/No

Internet: Yes/No



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To
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1. The Judicial Magistrate No.I,
Tiruppur.
2. The Inspector of Police,
North Police Station,
Tirupur District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

jv

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