



CrI.O.P.No.21640 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.21640 of 2024 and
CrI.M.P.Nos.12366 and 12368 of 2024

Suresh

... Petitioner

Vs.

1. The State Rep. by
The Inspector of Police
CCB, Team - XXIV, LFIW-II
Vepery, Chennai - 600 007
(CCB Crime No.209 of 2023)

2. C.S.Chandrasekar

... Respondent

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records and quash the proceeding in C.C.No.1401 of 2024 on the file of Metropolitan Magistrate Court, CCB & CBCID, Egmore, Chennai in respect of the petitioner/Accused No.6.

For Petitioner	: Mr.K.V.MUthu Visakan
For 1 st Respondent	: Mr.S.Vinoth Kumar
	Government Advocate (CrI. Side)
For 2 nd respondent	: No Appearance



Cr.O.P.No.21640 of 2024

ORDER

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This Criminal Original Petition has been filed by the petitioner to quash the proceeding in C.C.No.1401 of 2024 on the file of Metropolitan Magistrate Court, CCB & CBCID, Egmore, Chennai in respect of the petitioner/Accused No.6 is concerned.

2. The case of the petitioner is that the petitioner has been arrayed as an accused in Crime No.209 of 2023 on the file of the 1st respondent police alleging that the petitioner/A6 in collusion with A1 to A5, sold the property belong to the defacto complainant/2nd respondent, to A7 by fabrication of documents. After investigation, the charge sheet was filed and the same has been taken on file in C.C.No.1401 of 2024 on the file of the Metropolitan Magistrate Court, CCB & CBCID, Egmore, Chennai. Hence, the present petition has been filed by the petitioner/A6 to quash the proceedings in C.C.No.1401 of 2024 against the petitioner.



CrI.O.P.No.21640 of 2024

3. The contention of the petitioner is that, the petitioner/A6 is the friend of A7 and based on the request of A7, he witnessed the sale deed. Other than that, he did not receive any money through the alleged transaction and that, no offence of cheating, forgery and criminal conspiracy has been made out against the petitioner. He also submitted that already this Court by order dated 25.06.2024 in CrI.O.P.No.7452 of 2024, quashed the FIR as against A7/purchaser of the property.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the trial has already commenced. P.W.1 was already examined and cross examined by the accused.

5. Heard both sides and perused the materials available on record.

6. A perusal of the statement of the witnesses show that there are allegations against the petitioner also. Further, the trial has already commenced. Therefore, this Court is not inclined to entertain the petition.



Cr.O.P.No.21640 of 2024

7. Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected Miscellaneous Petitions are closed.

8. The petitioner is at liberty to take all his defence before the trial Court.

13.11.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

ksa-2



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CrI.O.P.No.21640 of 2024

P.VELMURUGAN,J.

Ksa-2

CrI.O.P.No.21640 of 2024

13.11.2024