



Crl.O.P.No.3556 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM:

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

Crl.O.P.No.3556 of 2022
and
Crl.M.P.Nos.1665 & 1667 of 2022

Muthuvel

... Petitioner

Versus

1. The Inspector of Police,
Team-IV, EDF-II,
Central Crime Branch,
Vepery, Chennai-600 007.

2. K.R.Yuvith

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No. 5051 of 2021 on the file of Judicial Magistrate, Alandur and quash the same against the petitioner.



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For Petitioner : Mr.A.Ashwinkumar
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. 107 of 2022 on the file of XVI Metropolitan Magistrate, George Town, Chennai.

2. Heard both sides.

3. The petitioner is ranked as A8 in the F.I.R. in Crime No.314 of 2020 registered for the offence under Sec.419, 420, 465, 467, 468, 471 r/w 34 and 109 of I.P.C. Subsequently, the charge sheet has been filed and the same was taken on file in C.C.No.5051 of 2021 on the file of Judicial Magistrate, Alandur and the same is pending. According to prosecution, it is a case of impersonation and created a fabricated document by giving a false information through one D.Raja, land broker and he gave some details of property. Based on that, the person, who is incharge of the company of 2nd respondent entered into terms of agreement and later he came to know that all accused were involved in fabrication of document and also committed impersonation. Therefore,



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the prosecution submitted a final report against 11 accused, in which this petitioner is ranked as A8. Now, the petitioner had filed this petition praying to quash the said charge sheet.

4. The learned counsel for petitioner would submit that there is no specific contract between them now he was involved in any impersonation or cheated the 2nd respondent/defacto complainant. He would further submit that without any material evidence, he was falsely implicated in this case. Hence, he prayed to quash the proceedings initiated against him.

5. By way of reply, the learned Government Advocate (Criminal side) appearing for 1st respondent would submit that the petitioner had received a sum of Rs.13,00,000/- as advance amount and he claimed himself as Ex-Councillor of that locality. He would submit that on colluding with other accused, knowingly well, he involved in fabrication of document. Hence, he prayed to dismiss this petition.

6. Records perused. On seeing entire facts, it reveals that this petitioner had received a sum of Rs.13,00,000/- as advance amount claiming himself as Ex-Councillor and knowingly well, on colluding



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with other accused, he involved in the offence of fabrication of document.

If the petitioner is not involved in any such activity, he has to prove the same before the trial court, otherwise, his innocence cannot be proved and on seeing the gravity of offence, it is a matter for trial and it needs evidence. Therefore, I do not find any irregularity in the charge sheet initiated against the petitioner. However, liberty is granted to the petitioner to putforth all his defence before the trial court. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Criminal Miscellaneous Petition is closed.

11.03.2024

Index: Yes/No

Internet: Yes/No

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To

1. The Inspector of Police,
Team-IV, EDF-II,
Central Crime Branch,
Vepery, Chennai-600 007.

2. The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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