



WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2024

CORAM:

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

CRL.OP No. 31735 of 2022

& CrI.MP. No. 19491 of 2022

Vetriselvan

...petitioner

Vs.

- 1.The State of Tamil Nadu Represented by
The Inspector of Police,
Crime Branch CID,
Tiruvallur District.
2. Mohana Sundaram

...Respondents

PRAYER : This petition has been filed under Section 482 of Cr.P.C, to
call for the records pertaining to PRC No. 16 of 2022 pending on the file of
Judicial Magistrate No.1, Tiruvallur and quash the same.

For Petitioner : Mr.T.S.N.Prabhakaran

For R1 : Mr.S.Vinoth Kumar

Government Advocate (Crl. side)

For R2 : Mr.S.Venkatesh

ORDER



The petitioners herein filed this petition to call for the records pertaining to PRC No. 16 of 2022 pending on the file of Judicial Magistrate No.1, Tiruvallur and quash the same.

2.The case of the prosecution is that the petitioner is arrayed as A7 who is the brother of A1. The allegation against the petitioner is that after the alleged occurrence pertaining to crime No. 2 of 2019, the petitioner funded A1 and the bank statement shows that he helped the accused persons. Hence, the respondent police impleaded the petitioner as A7 for the offence punishable under Sections 201 and 212 IPC. Hence, the petitioner filed this petition to quash PRC No. 16 of 2022.

3. The learned counsel for the petitioner submits that the petitioner is neither associated with the accused persons nor helped his brother/A1 at any point of time. Even as per the confession of A1, he has not stated about the petitioner but the prosecution with a malafide intention falsely implicated the petitioner as A7 in the case as if he associated with A1 and other accused persons. Hence, he prayed to allow this petition.



4. The learned Government Advocate (Crl. Side) submits that during the investigation, the respondent police found that the petitioner associated with his brother/A1 and also given money to other accused persons. Further, the bank account statement clearly shows that he helped the accused persons financially to that effect he relied the bank account statement.

5. Considering the submissions on either side and also on perusal of records, the specific allegation against the petitioner is that he funded his brother/A1 and other accused persons pertaining to crime No. 2 of 2019 to that effect the respondent police produced the bank statement. On the other side, the learned counsel for the petitioner submits that the petitioner has not cordial relationship with his brother/A1 and also not helped the accused persons. But the bank statement relied by the respondent police claims that there was transaction between the petitioner and other accused persons. It is a matter for trial. Hence, I am not inclined to quash the PRC No.16 of 2022.



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6. In the result, this Criminal Original Petition is Dismissed. No costs. Consequentially, connected miscellaneous petition is closed.

30.01.2024

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To
The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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