



Crl.O.P. (MD) No.5789 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.5789 of 2024
and
Crl.M.P.(MD)Nos.4393 and 4394 of 2024

Ravi,

... Petitioner

Vs

The State represented by
1. The Inspector of Police,
CBCID Madurai City Police Station,
Madurai District.
Crime No. 7/2023.

2. Prabhakarn,
Corporate Manager - Security,
GR Thangamaligai Jewellers Private Limited,
108 and 109 Nethaji Road,
Madurai District.

... Respondents

PRAYER: Petition filed under Section 482 Cr.P.C. seeking to call for the records relating to the charge sheet in C.C No. 222 of 2016 on the file of the learned Judicial Magistrate IV, Madurai and quash the same as far as the



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petitioner is concerned.

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For Petitioner : Mr.S.Anandha Rajagopal

For R1 : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The petitioner has filed this petition, seeking to quash the proceedings in charge sheet in C.C.No.222 of 2016 on the file of the Judicial Magistrate No.IV, Madurai.

2. The case of the prosecution is that one Chrisopher and Sundarajan had purchased jewels from the second respondent shop using their credit cards. Later, the shop was informed by the bank concerned that the credit cards used by the said Chrisopher and Sundarajan are stolen one and the above transactions were fraudulent. Hence the case.

3.The learned Counsel for the petitioner submits that the trial in C.C.No.222 of 2016 was not proceeded further against the petitioner herein,



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as there is no proof or evidence adduced against him. Hence the proceedings in the charge sheet is liable to be quashed.

4.The learned Additional Public Prosecutor raised objections that the petitioner/second accused is absconding for a long time. He went to abroad on a bogus passport, for which, the respondent police is intending to register another case. He was also declared as a proclaimed offender. The petitioner has not appeared before the trial Court. He further submitted that the petitioner has used plain credit cards for the transaction. In this regard, four witnesses were examined and the case is posted on 10.05.2024 for examining L.W.5 and L.W 6.

5. Considering the stage of the trial that the several witnesses have been examined and also considering that the petitioner has been declared as a proclaimed offender, this Court is not inclined to grant any relief to the petitioner. The petitioner shall appear before the trial Court and establish his innocence before the trial court. Therefore, this Criminal Original Petition is dismissed with liberty to the petitioner to raise all the grounds before the



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trial Court, during trial. Consequently, connected miscellaneous petitions are closed.

17.04.2024

NCC : Yes / No.
Index : Yes / No.
Internet: Yes / No.
LR

To

1. The Judicial Magistrate IV,
Madurai.

2. The Inspector of Police,
CBCID Madurai City Police Station,
Madurai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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