

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.09.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.Nos.977 and 978 of 2009
and MP.Nos.1 to 1 of 2009

1.S.Padmanabhan
Vice President-Corporate Finance,
ISG Nova Soft Technologies Ltd.,
No.114, Sri Thiagaraya Road,
T.Nagar, Chennai-17.

2.Neelakandapillai,
Facility Administrative Manager,
ISG Nova Soft Technologies Ltd.,
No.114, Sri Thiagaraya Road,
T.Nagar, Chennai-17.

3.Ramamurthy,
Security Officer,
ISG Nova Soft Technologies Ltd.,
No.114, Sri Thiagaraya Road,
T.Nagar, Chennai-17.

... Petitioner in
Crl.OP.977/2009

1.Krishnakumar Srinivasan,
Chief Executive Officer,
ISG Nova Soft Technologies Ltd.,
No.114, Sri Thiagaraya Road,
T.Nagar, Chennai-17.

2.Uma Mahesh,
General Manager,
ISG Nova Soft Technologies Ltd.,
No.114, Sri Thiagaraya Road,
T.Nagar, Chennai-17.

... Petitioners
in Crl.OP.978/2009

Vs

1.The State
Rep by Sub Inspector of Police,
K-3, Aminjikarai Police Station,
Aminjikarai, Chennai-29.

2.Monisha Aman

... Respondents
in both Crl.OPs

Common Prayer : Criminal Original Petition filed under Section 482
of Cr.P.C., praying to call for the records in C.C.No.15104 of
2008 on the file of the V Metropolitan Magistrate, Egmore, Chennai
and to quash the same.

For Petitioners : Mr.SK.Chandrakumar
in Crl.OP.977/09
For Petitioners : No appearance
in Crl.OP.978/09

For Respondents : Mr.C.Emalias, APP [for R1]
in both Crl.OPs : No appearance [for R2]

C O M M O N O R D E R

These petitions have been filed to quash the C.C.No.15104 of 2008 on the file of the learned V Metropolitan Magistrate, Egmore, Chennai.

2. Heard Mr.SK.Chandrakumar, learned counsel for the petitioners; learned Additional Public Prosecutor for the 1st respondent and perused the materials placed on record.

3. It is seen that the de facto complainant in these cases was an employee of M/s.ISG Nova Soft Technologies Ltd., wherein, the accused were colleagues and senior officers. The accused initiated disciplinary action against the de facto complainant. Aggrieved by which, she filed a private complaint before the learned V Metropolitan Magistrate in CMP.No.1130 of 2008 making allegations against the petitioners/accused. Based on which, the respondent police registered a case in crime No.306 of 2008 and have also filed a final report in CC.No.15104 of 2008 against the petitioner/accused herein, challenging which, the petitioners/accused are before this Court.

4. This Court carefully perused the final report and the accompanying documents. It is obvious that the accused herein had initiated disciplinary action against the de facto complainant and the show cause notice was served on her through an employee of the company. She has lodged the present complaint stating that the employee had intimidated her and caused annoyance to her.

5. In the considered opinion of this Court, the prosecution itself is a counter blast for the action taken by the employer against the de facto complainant.

6. In the result, these petitions are allowed and the prosecution in CC.No.15104 of 2008 on the file of the learned V Metropolitan Magistrate, Egmore, Chennai is hereby quashed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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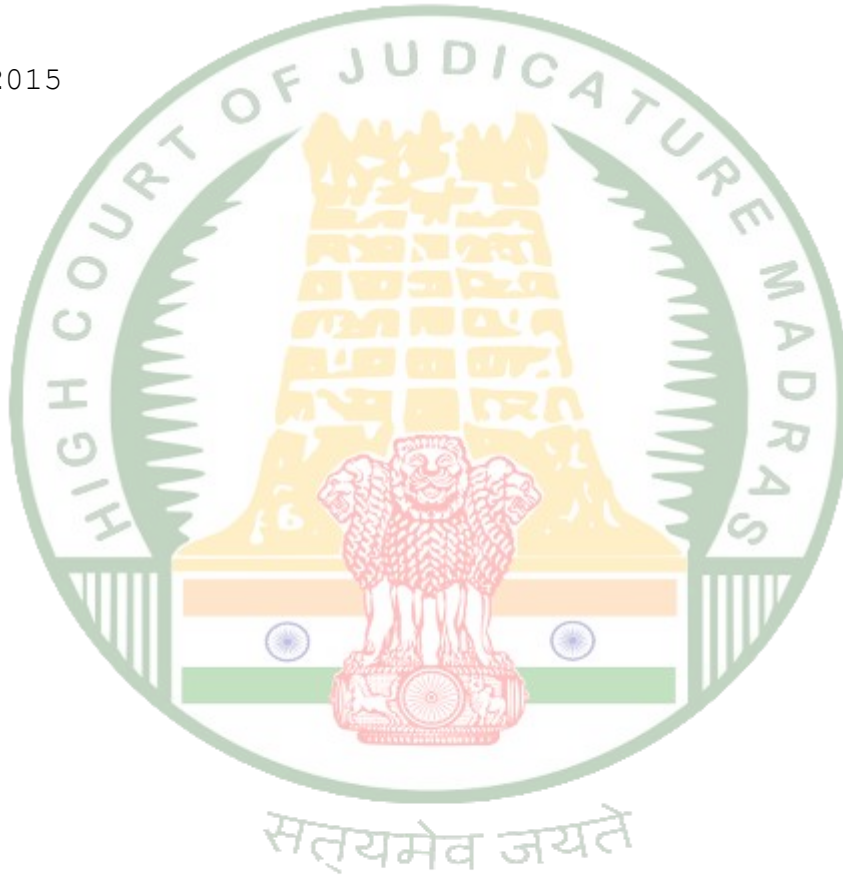
To

1.The Sub Inspector of Police,
K-3, Aminjikarai Police Station,
Aminjikarai, Chennai-29.

2.The Public Prosecutor,
High Court, Madras.

CRL.OP.No.977 and 978 of 2009

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