

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.20317 of 2015

Kalyanasundaram

.. Petitioner/(1st Accused)

Vs

1.The State rep by
Sub Inspector of Police
Team-V
Central Crime Branch, Egmore
Chennai (now at Veppery)
(Crime No.156 of 2012)

2.Ramanathan .. Respondents/Complainant
& Defacto Complainant)

Prayer:- Criminal Original Petition filed under Section 482
Cr.P.C., to call for the entire records relating to Crime No.156 of
2013 from the file of the first respondent and quash the FIR.

For Petitioner : Mr.S.Jaganathan

For R1 : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This petition has been filed to call for the entire records
relating to Crime No.156 of 2013 from the file of the first
respondent and quash the FIR.

2. It is seen that this petitioner was inducted as a tenant by
the defacto complainant and when he refused to vacate, proceedings
under the Rent Control Act were initiated and they were pending.
While so, to thwart the proceedings, the petitioner put up an
Advocate Board, though the petitioner is not one. This did cause
fear in the mind of the defacto complainant and therefore, she had
filed a private complaint under Section 156(3) Cr.P.C. before the
learned Magistrate, based on which a case in Cr.No.156 of 22013 was
registered against the petitioner.

3. Now the petitioner has come forward for quashing the FIR on
the ground that, he has surrendered possession and had entered into
a compromise with the defacto complainant. This Court would
normally entertain an application for quashing, if the parties had

arrived at a settlement. However, this Court is making a departure in this case, inasmuch as this petitioner not being an Advocate has posed himself as one, thereby threatening the defacto complainant who is an Auditor working in Mumbai.

Taking into consideration the nature of the allegations against this petitioner, this is not a fit case to quash the FIR. Accordingly, this petition stands dismissed.

Sd/-
Assistant Registrar(CS II)

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Sub Assistant Registrar

gms

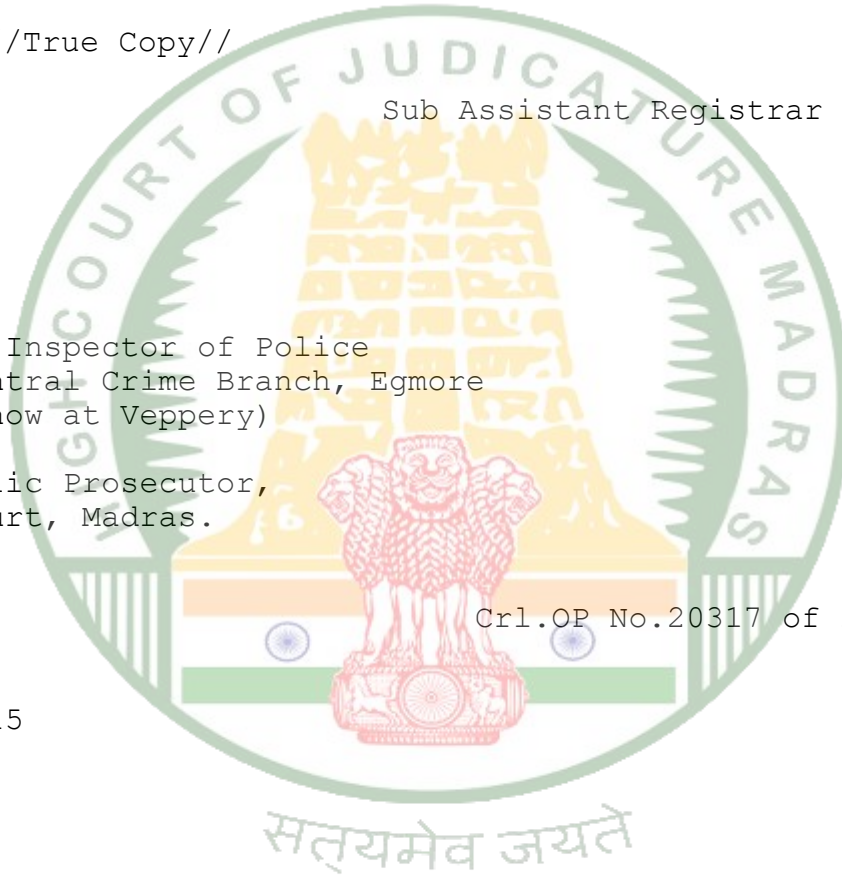
To

1.The Sub Inspector of Police
Team-V,Central Crime Branch, Egmore
Chennai (now at Veppery)

2.The Public Prosecutor,
High Court, Madras.

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KSJ(CO)
EU 23.09.15



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