

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.28428 of 2015
and M.P.Nos.1 & 2 of 2015

Jayabalan

... Petitioner

Vs

State by

The Inspector of Police,
All Women Police Station,
Kangayam,
Tiruppur District.
Crime No.4 of 2014 .

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to call for entire records in C.C.No.231 of 2014 on the file of the Judicial Magistrate, Kangayam, Tiruppur District and quash the same in so far as it relates to the petitioner is concerned.

For Petitioner : Mr.C.Prakasam

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

O R D E R

This petition has been filed to call for entire records in C.C.No.231 of 2014 on the file of the Judicial Magistrate, Kangayam, Tiruppur District and quash the same in so far as it relates to the petitioner is concerned.

2. The complaint was lodged by one K.Suganya as against her husband, her in-laws and the relatives of the husband for the alleged offence under sections 498(A), 323, 506(i), 294(b) IPC and Section 40F TNPWH Act and Sections 406 and 384 of IPC. The petitioner herein is arrayed as fourth accused and he is the brother of the husband of the defacto complaint.

3. Today, when the matter is taken up for consideration, the learned counsel for the petitioner submitted that this Court has already quashed the proceedings in C.C.No.231 of 2014 in respect of all the other accused except this petitioner, since the petitioner is not a party in the said case. He has also produced a copy of the order passed by this Court in CrI.O.P.No.15704 of 2015 dated 19.08.2015.

4. Learned Additional Prosecutor submitted that the parties have entered into settlement and the proceedings in C.C.No.231/2014 has been quashed in respect of the all other accused except this petitioner, since he is not a party in that case.

5. Therefore, this Court is of the opinion that following the order passed in CrI.O.P.No.15704 of 2015 dated 19.08.2015, this petition has to be allowed. Accordingly, the criminal original petition is allowed. The entire proceedings in C.C.No.231 of 2014 in respect of this petitioner is quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsi
To

1. The Judicial Magistrate Kangayam,
Tiruppur District.
2. -do- Through The Chiefe Judicial Magistrate,
Tiruppur.
3. The Inspector of Police,
All Women Police Station,
Kangayam,
Tiruppur District..
4. The Public Prosecutor,
High Court, Chennai

+ 1 cc to Mr.C. Prakasam, Advocate SR.66819

CrI.O.P.No. 28428 of 2015

AD(CO)
Eu 06.1.16

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