

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2015

CORAM

THE HONOURABLE MR.JUSTICE A.SELVAM

Cr1.OP No.21967 of 2013

C.Dhasarathan

...Petitioner (Accused)

Vs

1. State rep by
Inspector of Police,
Vigilance and Anti Corruption
Head Quarters, R.A.Puram
Chennai 600 028

2. T.Balakrishnan ...Respondents
(Complainant & Defacto Complainant)

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to Crime No.38/2009 dated 7.9.2009 on the file of the Inspector of Police, Vigilance and Anti Corruption Head Quarters, R.A.Puram, Chennai 28 and quash the same.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.P.Govindarajan
Additional Public Prosecutor
for R1
No appearance for R2

ORDER

This Criminal Original Petition has been filed under section 482 of the Code of Criminal Procedure, 1973 praying to quash the First Information Report relating to Crime No.38/2009 pending on the file of the first respondent.

2. It is averred in the petition that the petitioner has been appointed on 1.11.1993 in Alandur Municipality as Overhead Tank Watchman. The second respondent has given a complaint against the petitioner to the first respondent and the same has been

registered in Crime No.38/2009. The allegations mentioned in the complaint are totally incorrect. Further, as per G.O.(D) No.303 dated 23.11.2012, the proceedings initiated against the petitioner have been dropped.

3. The learned counsel appearing for the petitioner has contended that on the basis of a frivolous complaint dated 7.9.2009 given by the second respondent, the first respondent has unnecessarily registered a case against the petitioner in Crime No.38/2009 and subsequently all the proceedings initiated against the petitioner have been dropped by virtue of G.O.(D) No.303 dated 23.11.2012. Under the said circumstances, the present petition has been filed for getting the relief sought for therein.

4. The learned Additional Public Prosecutor appearing for the first respondent has fairly conceded that after registering a case against the petitioner in Crime No.38/2009, G.O.(D) No.303 dated 23.11.2012 has been passed. By virtue of the same, the entire proceedings initiated by DVAC against the petitioner are dropped.

5. Considering the representations made on either side, it is very clear that the relief sought for in the present petition has become infructuous.

With these observations, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

ajr

To

1. The Inspector of Police,
Vigilance and Anti Corruption
Head Quarters, R.A.Puram
Chennai 600 028

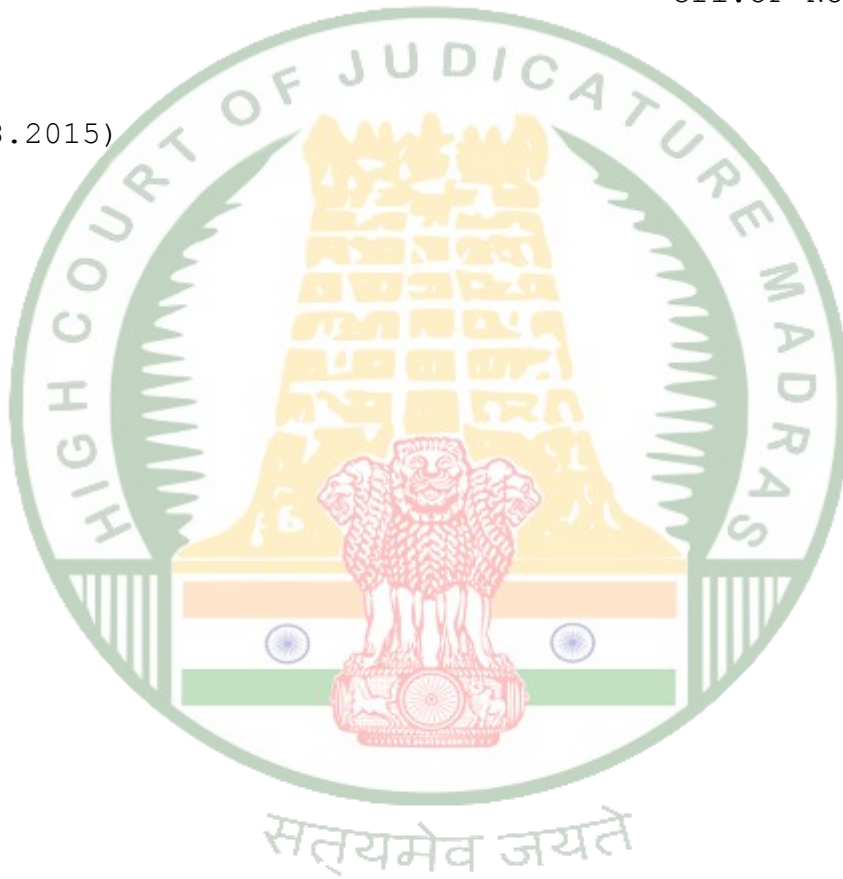
2. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.M.Gnanasekar, Advocate SR.No. 42671

1 CC to the Government Pleader, SR.No. 42983

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MP (CO)
PSI (27.08.2015)



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