

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2015

CORAM

THE HONOURABLE MR.JUSTICE R.KARUPPIAH

Criminal O.P. No.27545 of 2009
and
M.P.No.1 of 2009

Mopattal Hajji

...Petitioner

Vs.

K.Govindasamy

...Respondent

Criminal Original Petition has been filed under Section 482 of Cr.P.C to call for the records in C.C.No.10609 of 2007, on the file of III Metropolitan Magistrate, G.T. Chennai and quash the complaint.

For Petitioner : Mr.G.Arulmurugan

For Respondent : Mr.K.S.Ganeshbabu

ORDER

Heard the learned counsel appearing for the petitioner and respondent.

2. The learned counsel appearing for the respondent submitted that the respondent ready withdrawn the main case itself before concerned Magistrate court.

3. The learned counsel appearing for the petitioner submitted that already a complaint has been given by the respondent and on the basis of the complaint, police has investigated the case and filed the charge sheet and the trial Court has taken the same on file as C.C.No.15000 of 2010. In the above said case, several witnesses have been already examined and pending at part-heard stage. During the pendency of the said case, the petitioner filed another private complaint for the same occurrence and the concerned Magistrate has taken the same on file as C.C.No.10609 of 2007. Therefore, the petitioner filed this petition to quash the above

said complaint.

4. In view of the said submissions made by the learned counsel appearing for both sides and also considered the fact that for the same occurrence, already charge sheet filed and it is in part-heard stage and this Court of view that this Criminal Original Petition is liable to be allowed.

5. In the result, the Criminal Original Petition is allowed and the proceedings in C.C.No.10609 of 2007 on the file of the III Metropolitan Magistrate, George Town, Chennai, is hereby quashed. Consequently, connected M.P. is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

rrg

To

The III Metropolitan Magistrate,
George Town,
Chennai

1 CC to Mr.G.Arulmurugan, Advocate SR.No. 6098

1 CC to Mr.K.S.Ganeshbabu, Advocate SR.No. 6170

Cr1.O.P.No.27545 of 2009

MP (CO)

PSI (26.02.2015)

WEB COPY