



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.04.2015
CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

WEB COPY

CRL.O.P (MD) No.8220 of 2015

1.Maharajan
2.Vairamuthu
3.Selvam
4.Kasappandi
5.Mottaiyandi
6.Autokumar
7.Tamilan
8.Vetri
9.Thesingu Raja

... Petitioners/Accused

Vs.

1.The State,
Rep. By the Inspector of Police,
Andipatti Police Station,
Theni District.
(Crime No.502 of 2012)

... 1st Respondent/Complainant

2.S.Ganesan

... 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1908 praying to call for records relating to the proceedings in P.R.C.No.23 of 2013 on the file of the Judicial Magistrate, Andipatti and quash the same and pass such further or other orders.

For Petitioners : Mr.P.Senguttuarasan
For R - 1 : Mrs.S.Prabha
Government Advocate (Crl. Side)

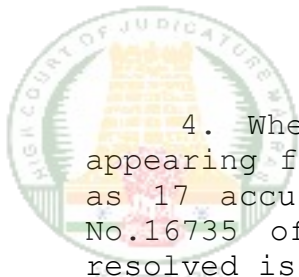
For R - 2 : Mr.K.Murugan

ORDER

This Criminal Original Petition has been filed praying to call for records relating to the proceedings in P.R.C.No.23 of 2013 on the file of the Judicial Magistrate, Andipatti and quash the same.

2. Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Criminal Side) appearing for the first respondent and the learned counsel appearing for the second respondent.

3. The petitioners are arrayed as accused in Crime No.502 of 2012 for the alleged offences under Sections 147, 148, 149 ad 3(i) of TNPPDL Act which has been taken on file in P.R.C.No.23 of 2013 on the file of the learned Judicial Magistrate, Andipatti.



4. When the matter is taken up for hearing, the learned counsel appearing for the petitioner and respondent No.2 submitted that in so far as 17 accused are concerned, by order dated 16.09.2014 in CrI.O.P(MD) No.16735 of 2014, the dispute has been resolved. What remains to be resolved is only with regard to the present petitioners.

WEB COPY

5. The learned counsel appearing for respondent No.2 submitted that there is no objection to quash the impugned proceedings in view of the earlier order passed by this Court in CrI.O.P(MD)No.16735 of 2014, which reads as follows:-

"Earlier by order dated 12.09.2014, based on the statement made by the second respondent/defacto complainant, the proceeding was quashed in respect of all the petitioners except 9th petitioner. On the day, this Court made an observation that 'on appearance of the 9th petitioner, the case against him will be quashed'. Today, when the matter is called, the 9th respondent/Gokul Anand is present. As already the second respondent/defacto complainant submitted that the matter has been settled at the intervention of the elders, the proceeding against him also quashed."

6. Accordingly, this Criminal Original Petition is allowed and the proceedings in P.R.C.No.23 of 2013 on the file of the learned Judicial Magistrate, Andipatti is quashed.

Sd/-

Assistant Registrar(Writs)

\\True copy\\

Sub Assistant Registrar

To

1.The Judicial Magistrate,Andipatti.

2.The Chief Judicial Magistrate, Theni District

3.The Inspector of Police,Andipatti Police Station,
Theni District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to MR.P.SENGUTTARASAN, ADVOCATE SR.NO.24448

CRL.O.P (MD) No.8220 of 2015
29.04.2015

PS

NA/IV/26/05/2015/P2/6C