

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

Cr1.O.P No.4901 of 2010

Balu .. Petitioner/ A13

Vs.

Savithri .. Respondent/ Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in P.R.C.No.132 of 2009 on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai and quash the same.

For Petitioner : No Appearance

For Respondent : Mr.K.S.Kumar

ORDER

This Criminal Original Petition has been filed under Section 482 of Code of Criminal Procedure, 1973 to call for the records in P.R.C.No.132 of 2009 on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai and quash the same.

2. No representation for the petitioner. Heard the learned counsel for the respondent.

3. The petitioner is arrayed as A13 in the case. With respect to the same occurrence, one C.Baskaran, lodged the complaint and the same was registered in Cr.No.1977 of 2008 on the file of E3 Teynampet Police Station for the offence under Sections 147, 148, 341, 324 and 427 IPC; one Mrs.Savithiri, wife of the above said Baskaran filed a private complaint before the XVIII Metropolitan Magistrate, Saidapet, Chennai, and the same was taken on file after enquiry as P.R.C.No.132 of 2009.

4. Since both the complaints are with respect to the same occurrence, as per Section 210 Cr.P.C, the trial Court has to try both the cases together, as if both the cases were instituted on a police report. Quashing of one case independent of the other case will not arise. I do not see any merit in the petition and accordingly, the same is liable to be dismissed.

5. In the result, this Criminal Original Petition is dismissed. Consequently connected MP is closed.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

tsvn

To

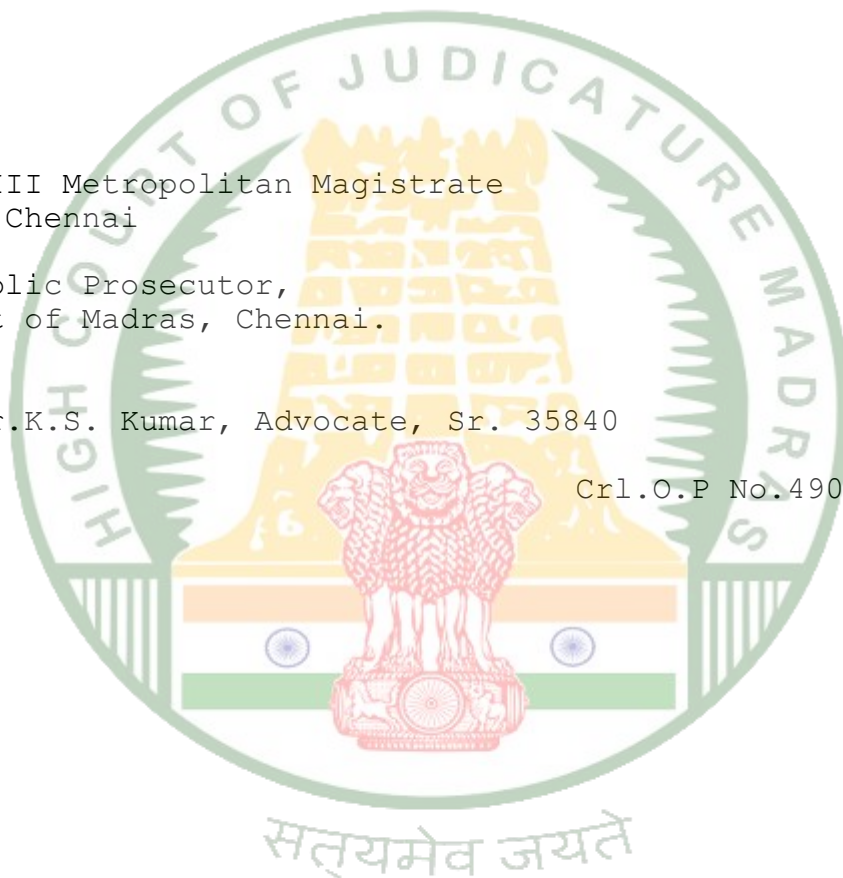
1. The XVIII Metropolitan Magistrate
Saidapet, Chennai

2. The Public Prosecutor,
High Court of Madras, Chennai.

1 cc to Mr.K.S. Kumar, Advocate, Sr. 35840

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SV (CO)
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