

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.20465 of 2016

&

Cr1.MP.No. 9556 of 2016

1. Muniraj
2. Rajesh Agarwal
3. Jaiganesh
4. Kalyanaraja
5. Thimmaraj
6. Thoottur Manju
7. Ramamoorthy

... Petitioners

Vs

1. State, rep. by
Inspector of Police,
Anti Land Grabbing Special Cell,
Krishnagiri.

2. Anusuya

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the impugned FIR in Cr. No. 20 of 2015 dated 10.08.2015 pending on the file of the 1st Respondent and quash the same.

For Petitioners : Mr.B.Saravanan

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor
for R1

Mr.D.Ramesh Kumar for R2

ORDER

This petition has been filed to quash the proceedings in Cr. No. 20 of 2015 dated 10.08.2015 on the file of the 1st Respondent.

2. Heard the learned counsel appearing for the petitioners and the de facto complainant and the learned Additional Public Prosecutor appearing for the State.

3. When the matter is taken up for hearing, the learned Additional Public Prosecutor and the learned counsel for the de facto complainant submitted, earlier the same petitioners, through another counsel by name Mr.V.Rajmohan had filed CrI.OP. No. 18229 of 2016, challenging the FIR in Crime No. 20 of 2015, which was dismissed by this Court on 17.08.2016. Without disclosing the same the petitioners have engaged the present counsel Mr.B.Saravanan and filed a second quash petition. Mr.B.Saravanan fairly submitted that the parties did not apprise him of this fact. This Court accepts Mr.B.Saravanan explanation.

4. Under such circumstances, the petition is dismissed with a direction to the petitioners to pay a cost of Rs. 25,000/- (Rupees twenty five thousand only) to the Tamil Nadu State Judicial Academy, Chennai within two weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ds/rts

To

1. The Inspector of Police,
Anti Land Grabbing Special Cell,
Krishnagiri.
2. The Director,
Tamil Nadu State Judicial Academy,
No. 30(90), P.S.K.R. Salai,
Greenways Road,
R.A. Puram, Chennai-28.
3. The Public Prosecutor
High Court, Madras.

+2cc's to Mr.D.Ramesh Kumar, Advocate, S.R.No.52576

+1cc to Mr.B.Saravanan, Advocate, S.R.No.52559

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RJ(CO)
CA(29/09/2016)