

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.26538 of 2013

and

M.P.No.1 of 2013

A.E.Lakshman

.. Petitioner/Accused No.4

... Vs ...

1. The State of Tamilnadu,
Rep. by its Sub-Inspector of Police,
City Crime Branch Police,
Coimbatore City.
(Crime No.54 of 2013). ... 1st Respondent/Complainant
2. E.Vellingiri ... 2nd Respondent/De facto complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records in Crime No.54 of 2013 pending on the file of the City Crime Branch Police Station, Coimbatore and quash the same.

For Petitioner : Mrs.Nalini Chidambaram,
Senior Counsel

For R-1 : Mr.C.Emalias
Additional Public Prosecutor

For R-2 : Mr.S.V.Pravin Rathinam

ORDER

The petitioner, who is the fourth accused in Crime No.54 of 2013, has come forward with this petition seeking to quash the FIR in Crime No.54 of 2013 for the offences punishable under Sections 120(B), 467, 468, 471, 409 and 420 of IPC, pending on the file of the first respondent police.

2. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3. Learned counsel for the petitioner submitted that the very same proceedings against the accused 1 and 2 have been quashed by this Court in the petition filed by them in CrI.O.P.No.33299 of 2013, vide order dated 24.07.2014 and the proceedings against the third accused have been quashed by this Court in the petition filed by the third accused in CrI.O.P.No.26827 of 2013, vide order dated 18.10.2013.

4. Learned counsel appearing for the second respondent/de facto complainant submitted that the second respondent has no objection to quash the F.I.R. in Crime No.54 of 2013 insofar as the present petitioner/A.4 is concerned. The learned counsel for the second respondent further submitted that the second respondent would work out his remedy before the Civil Court.

5. Considering the fact that the very same proceedings against the co-accused viz., A.1 to A.3 have been quashed by this Court and also taking into consideration the fact that the second respondent/de facto complainant has got no objection to quash the proceedings in Crime No.54 of 2013, this Court is of the view that it is a fit case to quash the criminal proceedings.

6. In the result, this Criminal Original Petition is allowed and the criminal proceedings in FIR in Crime No.54 of 2013 pending on the file of the first respondent police stands quashed, insofar as the present petitioner is concerned. Consequently, connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

Jrl

To

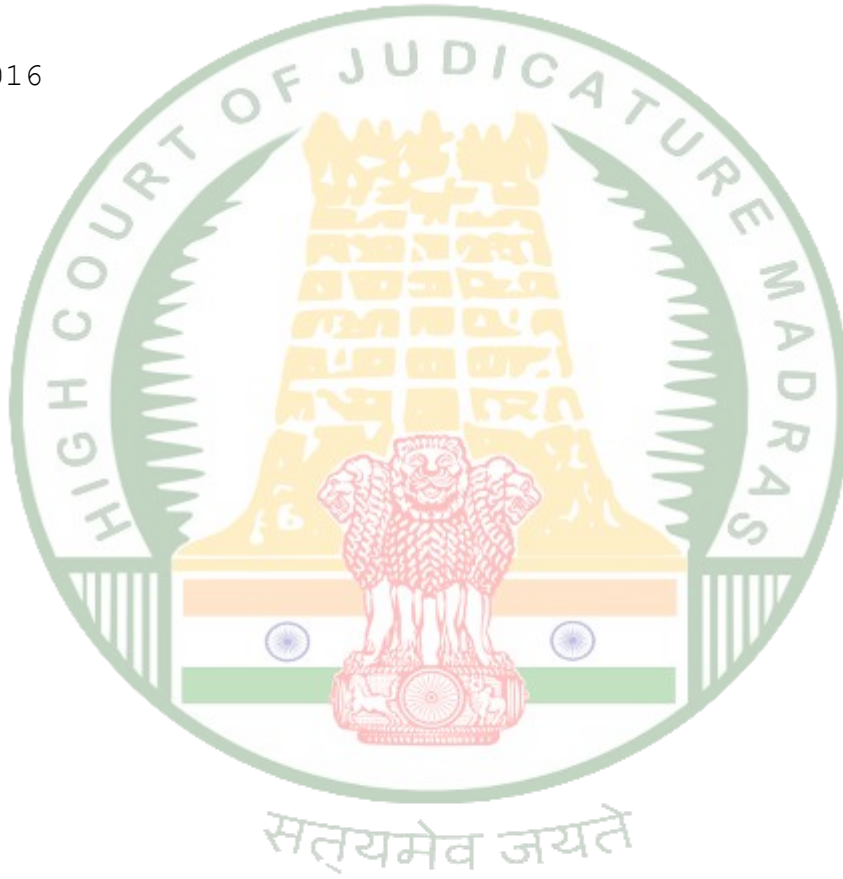
1. The Sub-Inspector of Police,
City Crime Branch Police,
Coimbatore City.

2. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.V.Krishnamoorthy Advocate sr.16053
+1 cc to Mrs.C.Uma Advocate sr.15966

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