

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2017

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.O.P.No.8036 of 2013

1. Velayutham
2. V.Lalitha
3. Raghu
4. Vichithra
5. Subramani

...Petitioners

Vs.

1. State By
The Sub-Inspector of Police
P-6, Kodungaiyur Police Station
Chennai-600 118. (Crime No.240 of 2009)

2. M.K.Indrasekar

... Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for the records in FIR No.240 of 2009 from the file of the respondent and quash the same.

For Petitioners: Mr.R.Manickavel

For R1 : Mr.Mohan Riyaz,

Government Advocate (Crl. Side)

For R2 : M/s.A.D.Jagadish Chandira

सत्यमेव जयते
O R D E R

Petitioner seeks quash of proceedings in Crime No.240 of 2009 on the file of the 1st respondent.

2. Heard learned counsel for petitioners, learned Government Advocate (Crl. Side) for 1st respondent and learned counsel for 2nd respondent/de-facto complainant.

3. Today, when the matter was taken up for hearing, learned Government Advocate (Crl. Side) submitted that investigation in Crime No.240 of 2009 has been closed as "mistake of fact" and RCS notice has been served to the 2nd respondent / de-facto complainant by post.

4. Learned counsel for de-facto complainant / 2nd respondent submitted that such notice has not been received. A copy thereof, is being served to learned counsel for 2nd respondent by learned Government Advocate (CrI. Side).

5. Recording the submission of learned Government Advocate (CrI. Side), this petition shall stand allowed and proceedings in Crime No.240 of 2009 shall stand quashed with liberty to the de-facto complainant / 2nd respondent to move a protest petition within a period of one month from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mk
To

1.The Sub-Inspector of Police
P-6, Kodungaiyur Police Station
Chennai-600 118. (Crime No.240 of 2009)

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.A.D.Jagadish chandira, Advocate Sr.19990
+lcc to M/S.R.Manickavel, Advocate Sr.19974

CrI.O.P.No.8036 of 2013

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srg 21/04/2017

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