

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2017
C O R A M

THE HONOURABLE Mr.JUSTICE **R.MAHADEVAN**

Crl. O.P.No.499 of 2011
and
M.P.No.1 of 2011

M.Arumugham

.. Petitioner

Vs.

1.State rep. by
The Inspector of Police,
B-1, Tiruvallur Town Police Station,
Tiruvallur.

2.Dr.P.Sampath,
Deputy Director,
Health Services,
Tiruvallur.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to call for the records in proceedings in C.C.No.265 of 2010, pending on the file of the learned Judicial Magistrate No.1, Thiruvallur and to quash the same.

For petitioner	:	Mr.T.S.N.Prabhakaran
For Respondent-1	:	Mr.C.Emalias
		Addl. Public Prosecutor
For Respondent-2	:	M/s.Dalit Tiger C.
		R.Manickam Ponnusamy

ORDER

This Criminal Original Petition has been filed by the petitioner, praying to quash the proceedings in C.C.No.265 of 2010, pending on the file of the learned Judicial Magistrate No.1, Thiruvallur.

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

3.The complaint initially lodged, did not contain the name of the petitioner who is alleged to have entered into the room of the second respondent herein/Deputy Director, Health Services, Tiruvallur and interrupted him from discharging his official duty. It is further seen that not only in the complaint, but also in other depositions, there is no specific allegations levelled against the petitioner and therefore, without any reasons, charge sheet has been laid against the petitioner and he has been ranked as A3. In view of the same, the proceedings in C.C.No.265 of 2010, pending on the file of the learned Judicial Magistrate No.1, Thiruvallur is

accordingly proceeded.

4.The learned Additional Public Prosecutor appearing on behalf of the first respondent has no materials to charge the present petitioner on the complaint levelled against him, even now.

5.Considering the facts and circumstances of the case and upon perusal of the documents and on going through the depositions, this Court is of the firm view that there is no case levelled against the petitioner and therefore, C.C.No.265 of 2010, pending on the file of the learned Judicial Magistrate No.1, Thiruvallur is liable to be quashed.

6.For the foregoing reasons, the Criminal Original Petition is allowed and C.C.No.265 of 2010, pending on the file of the learned Judicial Magistrate No.1, Thiruvallur in respect of the petitioner is quashed. Consequently, connected Miscellaneous Petition is also closed.

14.02.2017

DP

R.MAHADEVAN.J,

DP

To

The Inspector of Police,
B-1, Tiruvallur Town Police Station,
Tiruvallur.

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