

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2017

CORAM:

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

Crl.O.P.Nos.15556 & 15557 of 2012

and

M.P.Nos.1 and 2 of 2012 (in both Crl.Ops.)

Aravind .. Petitioner in Crl.O.P.No.15556/2012

S.Nagaraj ..Petitioner in Crl.O.P.No.15557 of 2012

Vs.

The Revenue Divisional Officer,
Gobichettypalayam,
Erode District

.. Respondent in both Crl.O.Ps

Prayer in Crl.O.P.No.15556 of 2012

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for the records pertaining to the communication issued by the respondent herein in Na.Ka.1654/2012/A4 dated 15.5.2012 and quash the same.

Prayer in Crl.O.P.No.15557 of 2012

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for the records pertaining to the communication issued by the respondent herein in Case No.595 of 2012, dated 12.06.2012, and quash the same.

For Petitioners	: Mr.G.Karthikeyan
For Respondent	: Mr.M.Mohamed Riyaz Government Advocate(crl.side)

COMMON ORDER

The Petitioners have come forward with these Criminal Original Petition, for quashing the proceedings of the respondent issued in Na.Ka.1654/2012/A4 dated 15.5.2012 (Crl.O.P.No.15556 of 2012) and in Case No.595 of 2012, dated 12.06.2012 (Crl.O.P.No.15557 of 2012) and quash the same.

2. Heard learned counsel for petitioners and learned Government Advocate [Crl.side].

3.Proceedings of the respondent challenged in both the Criminal Original Petitions are to be set aside, for the simple reason that the factual circumstances which prompted the authorities concerned to move under section 107 of Code of Criminal Procedure in the year 2012, might now not exist.

4.Accordingly, leaving it open to the respondent to proceed afresh, if necessary, these Criminal Original Petitions are allowed. Proceedings of the respondent in Na.Ka.1654/2012/A4 dated 15.5.2012 and the communication issued by the respondent in Case No.595 of 2012, dated 12.06.2012, are quashed. Consequently, connected Miscellaneous Petitions are closed.

25.04.2017

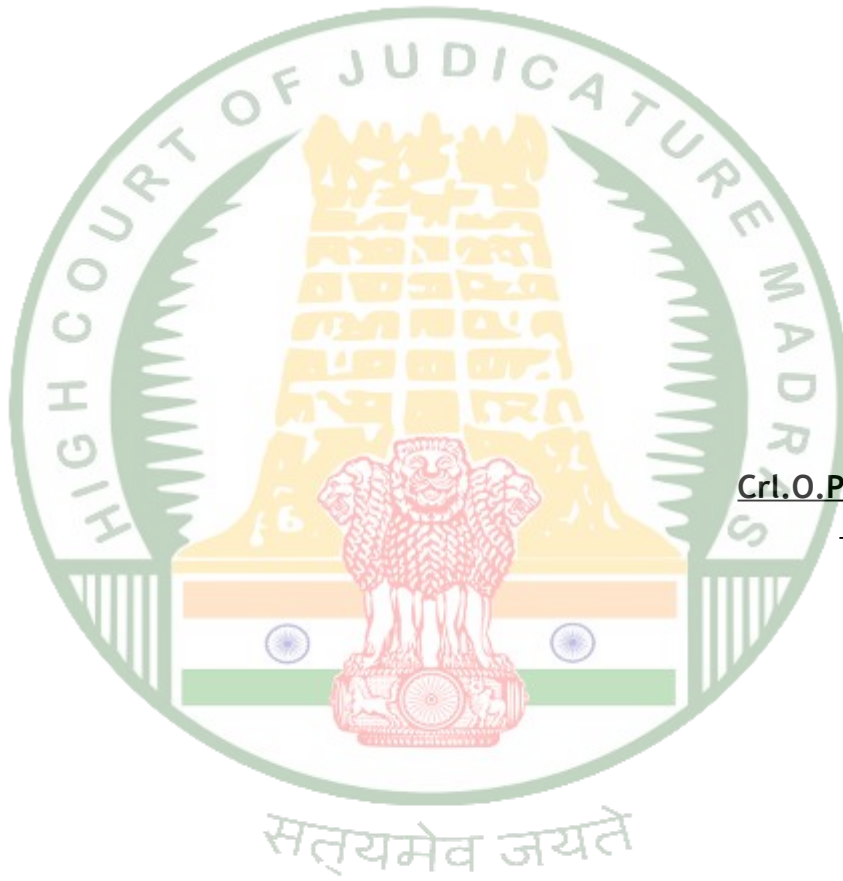
rpa/gsk
To

1. The Revenue Divisional Officer,
Gobichettypalayam, Erode District.

2. Public Prosecutor,
Madras High Court, Chennai.

C.T.SELVAM, J

gsk/rpa



Crl.O.P.Nos.15556 &
15557 of 2012

WEB COPY

25.04.2017