

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.15848 of 2012 &
Crl.M.P.Nos. 1 of 2012 and 1 of 2013

1.K.Nallaiah
2.K.Subbaiah

.. Petitioners

Vs.

1.V.Loganathan

2.The Inspector of Police,
V-5, Thirumangalam Police Station,
Thirumangalam,
Chennai - 600 101.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to quash the petition dated 10.10.2002 filed by the first respondent in C.C.No.304 of 2012 on the file of XIII Metropolitan Magistrate Court, Egmore, Chennai - 600 008.

For Petitioners : Mr.R.Thirugnanam

For Respondent 1: Mrs.AL.Ganthimathi

For Respondent 2: Mr. C.Iyyapparaj
Additional Public Prosecutor.

ORDER

This petition is filed seeking a direction to the respondent to quash the proceedings in C.C.No.304 of 2012 on the file of XIII Metropolitan Magistrate Court, Egmore, Chennai.

2.Heard the learned counsel for the petitioners as well as the learned counsel for the first respondent and the learned Additional Public Prosecutor appearing on behalf of the second respondent.

3.The dispute revolving around the subject land has now been finalized, in view of the petitioners taking over the subject land and leasing it out to a third party. This aspect is also confirmed by the learned counsel for the petitioners. As such, it would not be appropriate to permit the learned Trial Court Magistrate to get along with the application under Section 156(3) of Criminal Procedure Code.

4.Hence, the Criminal Original Petition stands allowed and the proceedings in C.C.No.304 of 2012 on the file of XIII Metropolitan Magistrate Court, Egmore, Chennai is quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nl/rts

To

1.The Presiding Officer,
XIII Metropolitan Magistrate Court,
Egmore, Chennai

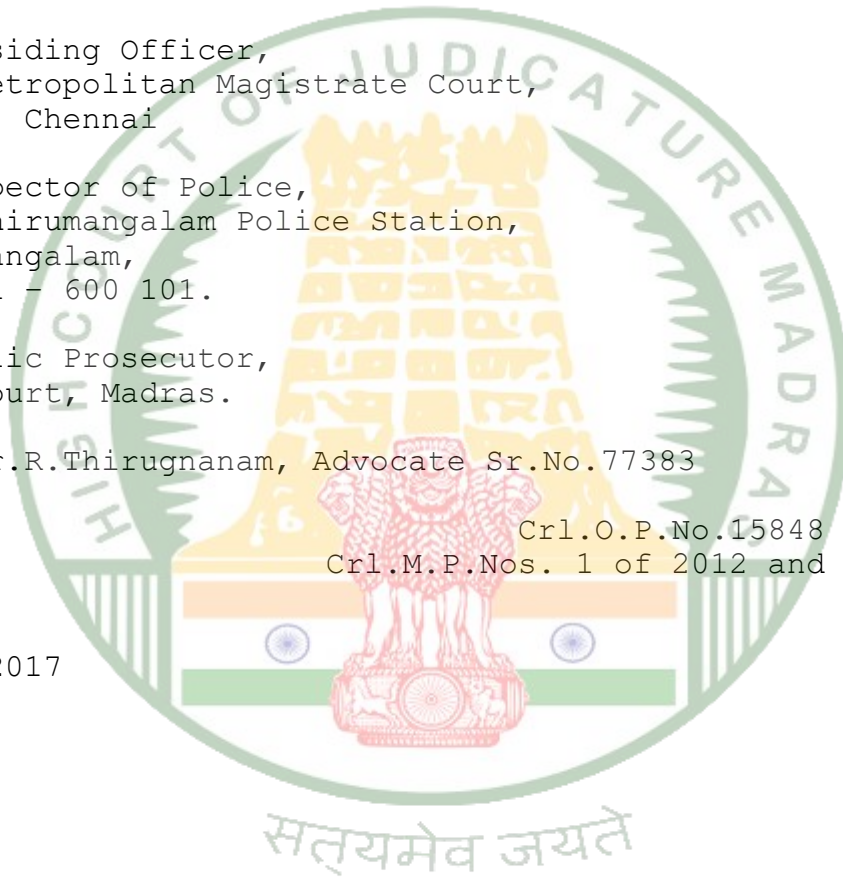
2.The Inspector of Police,
V-5, Thirumangalam Police Station,
Thirumangalam,
Chennai - 600 101.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Thirugnanam, Advocate Sr.No.77383

CrI.O.P.No.15848 of 2012 &
CrI.M.P.Nos. 1 of 2012 and 1 of 2013

AD(CO)
SM:23.11.2017



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