



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.(MD)Nos.3157 & 3258 of 2011
and
M.P.(MD)No.1 of 2011

Manoj Kumar Sonthalia,
S/o. Late. Shyam Sundar Sonthalia,
Chairman and Managing Director,
Dinamani, Baba Towers,
2nd floor,
No.24, Thennur High Road,
Thillai Nagar, Trichy-17.

... Petitioner/1st accused
in both cases

Vs.

A.K.Viswanathan
S/o. Ayyasamy,
Inspector General of Police/Chief Vigilance Officer,
Tamil Nadu Newsprint and Papers Limited,
Kakithapuram,
Karur District.

... Respondent/Respondent
in both cases

Prayer in Crl.O.P.(MD)No.3157 of 2011: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to C.C.No.13/2011 on the file of the Hon'ble Judicial Magistrate Court No.II, Karur and quash the same.

Prayer in Crl.O.P.(MD)No.3258 of 2011: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to set aside the order dated 28.02.2011 passed in Cr.M.P.No.1099 of 2011 in C.C.No.13 of 2011 on the file of the Honourable Judicial Magistrate No.II, Karur and allow the petition in Cr.M.P.No.1099/2011 in C.C.No.13 of 2011 on the file of the Honourable Judicial Magistrate No.II, Karur.

For Petitioner : Mr.V.Gopinath Senior Advocate for
Mr.S.Renga Nandakumar in both cases
For Respondent : Mr.B.Saravanan in both cases

COMMON ORDER



6.The learned counsel for the respondent after perusing the bottom of the newspaper, which is extracted above, fairly conceded that the complaint may be quashed in respect of the petitioner alone.

7.Heard both sides.

8.In view of the above, I am inclined to quash the complaint in C.C.No.13/2011 on the file of the Judicial Magistrate Court No.II, Karur, in respect of the petitioner alone. Accordingly, the complaint in C.C.No.13 of 2011 is quashed in respect of the petitioner alone. The lower Court is directed to decide the matter independently on merits and in accordance with law in respect of other accused.

9.Since the complaint in C.C.No.13/2011 is quashed by this Court, the issuance of bailable warrant against the petitioner, dated 28.02.2011, in Cr.M.P.No.1099 of 2011, by the learned Judicial Magistrate No.II, Karur, is also quashed.

10.Accordingly, these Criminal Original Petitions are allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The Judicial Magistrate No.II,
Karur.

+ 1 CC TO Mr.R.M.SIVAKUMAR, ADVOCATE IN SR No. 87987

+ 2 CC TO Mr.B.SARAVANAN, ADVOCATE IN SR No. 88107 & 88108

SMI/CP

TE/MR-KKR/SAR-1 : 07/12/2017 : 3P/5C

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