

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2018

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.23456 of 2007

and

Crl.M.P.No.1 of 2007

1. R.Arul, S/o.Raghunathan,
Sole Proprietor, M/s. Arulmani Match Works,
No.32A Kumaran Street, Bhuvanesaripet,
Gudiyatham, Vellore District.
2. K.Mani, S/o.Kuppusamy,
Sole Proprietor, M/s.Sri arulmani Match Works,
32A Kumaran Street, Bhuvanesaripet,
Gudiyatham, Vellore District.
3. G.Sekar,
S/o.Govindasamy, Moongapattu,
Gudiyatham, Vellore District. ... Petitioners/Accused

Vs.

1. The State of Tamilnadu,
Rep. by its Deputy Superintendent of Police,
District Crime Branch, Vellore,
Vellore District.
(Crime No.12 of 2004)
2. R.Ravishankar,
S/o.V.R.Ramachandran,
Proprietor of M/s.Arputham Match Industries,
No.16, Pandian Street,
Bhuvanesaripet, Gudiyatham,
Vellore District - 632 602. ...Respondents/Complainant

(R2 is impleaded as per the order
of the Hon'ble Supreme Court of
India dated 29.08.2014 made in
Crl.A.No.1888 of 2014 and
subsequent order passed by this
Court dated 27.03.2015 made in
Cr.O.P.No.23456 of 2007)

PRAYER:

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.77 of 2006 on the file of the Judicial Magistrate Court No.II, Vellore and quash the same.

For Petitioners : No Appearance
1 & 3 Mr.K.Mani,
2nd Petitioner is present

For R1 : Ms.V.Saratha Devi,
Government Advocate

For R2 : Mr.Ravishankar
Party-in-person

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O R D E R

This Criminal Original Petition is filed to call for the records in C.C.No.77 of 2006 on the file of the Judicial Magistrate Court No.II, Vellore and quash the same.

2.The second petitioner and the second defacto-complainant are present. It is submitted that the dispute between them has been resolved and they also reported that the statement to the first respondent, who had also taken note of it. The petitioners herein are tried the charges against them. Final report has been filed against them under Sections, 102, 103 and 107 of the Trade Marks Act, 1999 r/w Section 420 of the Indian Penal Code, Section 34 of the Indian Penal Code and Section 109 of the Indian Penal Code and the first respondent has filed a charge sheet against the petitioner in offence under Section 102, 103 of the Trade Marks Act, 1999 and 109 of the Indian Penal Code.

3.The dispute between the petitioners and the defacto-complainant is a commercial dispute, which has been now resolved and settled between them amicably. To that effect letters dated 09.08.2018 have been sent by the second petitioner as well as the defacto-complainant to the Deputy Superintendent of Police, District Crime Branch, Vellore and letter dated 16.08.2018 has been sent by the third petitioner to this Court informing about the settlement arrived between them.

4.The learned Government Advocate appearing for the first respondent had also admits the same.

5.In view of the above, the case in Criminal Original Petition is hereby stands quashed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate No.II,
Vellore.
2. The Deputy Superintendent of Police,
District Crime Branch,
Vellore, Vellore Distric.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.23456 of 2007

PPA(Co)
CS/15/02/2019