

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6505 of 2019
and M.P.Nos.3598 & 3599 of 2019

A.Rajagopal ... Petitioner/A1

Vs.

1.State rep. by
The Inspector of Police,
Cuddalore OT Mudhu Nagar Police Station,
Cuddalore, Thirupapulliyur,
Cuddalore. ...1st Respondent/Complainant
(Crime No.198 of 2010)

2.J.Mathialagan ... 2nd Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.No.198 of 2010 on the file of the Judicial Magistrate No.II, Cuddalore, and quash the same.

For Petitioner : Mr.K.R.Krishnan

For Respondents

For R1 : Mr.C.Raghavan

Government Advocate (Crl. Side)

For R2 :Mr P.Muthukrishnan

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.198 of 2010 on the file of the Judicial Magistrate No.II, Cuddalore, having been taken cognizance for the offences punishable under Section 147, 341 I.P.C. r/w Sec.7 (i) (a) CLA Act 1932 r/w Sec.506(i) I.P.C.

2. The learned Counsel appearing for the petitioner would submit that on 08.06.2010, the petitioner along with 49 other workers of the company, staged dharna as against management of the company. He further submitted that the defacto complainant J.Mathiazhagan P.R.O. and Assistant supervisor has given a letter on 21.01.2013 to the Inspector of Police, Mudunagar

Thirupapullicur and also higher authority namely the Superintendent of Police, Cuddalore that no damage or any assault took place on 08.06.2010 and matter was amicably settled between the company and workers. There is no law and order problem since it is only small labour dispute and requested not to proceed with the case in view of the good relations between the company and the workers and withdraw the C.C. Hence, he prayed to quash all the proceedings in C.C.No.198 of 2010 pending before the No.II Judicial Magistrate, Cuddalore.

3. The learned Government Advocate (Crl. Side) would submit that there are specific allegations as against the petitioner and 49 others to attract the offence under Sections 147, 341 I.P.C. r/w Sec.7(i)(a) CLA Act 1932 r/w Sec.506(i) I.P.C. and filed a charge sheet in C.C. No.198 of 2010 before the Judicial Magistrate No.II, Cuddalore. The case was in summons stage for the past 9 years. He further submitted that the matter has been settled between the petitioner and the defacto complainant J.Mathiazhagan P.R.O. of the company. The defacto complainant has also given a letter to withdraw the complaint dated 21.01.2013.

4. Heard Mr.K.R.Krishnan, learned counsel appearing for the petitioner and Mr.C.Ragnavan, learned Government Advocate (Crl.side) appearing for the first respondent.

5. It is seen that the matter has been settled between the parties and recorded. On 26.09.2011 the Superintendent of Police, Cuddalore District issued a circular to withdraw the Crime No.263 of 2010 and the Principal District and Sessions Judge, Cuddalore by an order dated 31.10.2011 directed to withdraw the case from the file of the respondent police.

6. In view of the above discussions, this Court is inclined to quash the proceedings in C.C.No.198 of 2010 on the file of Judicial Magistrate No.II, Cuddalore.

7. Accordingly, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous petitions are closed.

Sd/-
Assistant Registrar(AD -IV)

//True Copy//

Sub Assistant Registrar

rri

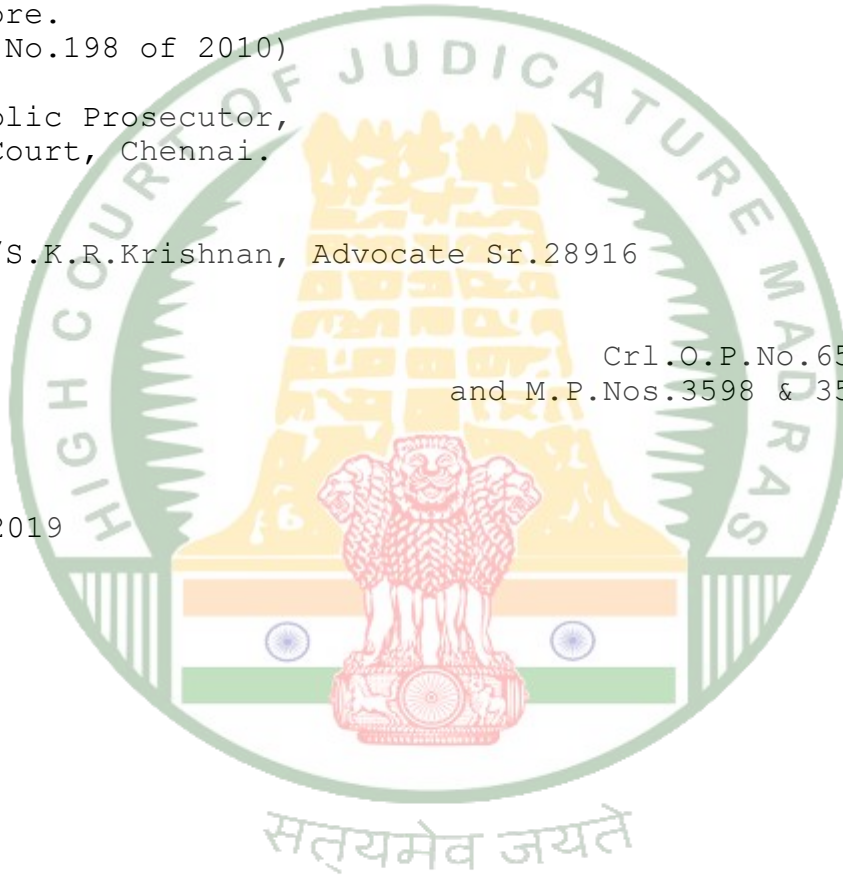
To

1. The Judicial Magistrate No.II,
Cuddalore.
2. The Inspector of Police,
Cuddalore OT Mudhu Nagar Police Station,
Cuddalore, Thirupapulliyur,
Cuddalore.
(Crime No.198 of 2010)
3. The Public Prosecutor,
High Court, Chennai.

+lcc to M/S.K.R.Krishnan, Advocate Sr.28916

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kj[co]
srg 7/5/2019



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