

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17036 of 2019

and

Crl MP Nos.8571 & 8569 of 2019

1. Hariharasudhan
2. Sathiyaselan
3. Shivajanardh
4. Sathiyasekar

...Petitioner /Accused

-Vs-

1. State rep. by  
Inspector of Police,  
Thousand light Police Station,  
Chennai 600 006. ... 1st respondent

2. Mr.Muthaiah ...2nd Respondent /Defacto complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records and quash the same in CC No.6471 of 2018 filed against the petitioner on the file of XIV Metropolitan Magistrate, Egmore.

For Petitioner : Mr.Sairaman S

For 1stRespondent : Mr.Mohammed Riyaz  
Additional Public Prosecutor

सत्यमेव जयते  
O R D E R

This petition has been filed to quash the proceedings in C.C.No.6471 of 2018, pending on the file of the XIV Metropolitan Magistrate Court, Egmore.

2. It is seen from records that the petitioner has also given a complaint against the 2nd respondent company and its officials and the same was registered in Crime No.311 of 2018. This is in the nature of a counter complaint given by the petitioner. This FIR was investigated and a closure report came to be filed by the concerned police before the learned Judicial Magistrate, Sriperambudur. The petitioner has also filed a

protest petition before the concerned Court and the same is pending.

3. This Court is not inclined to interfere with the proceedings pending against the petitioners at this stage. However, it would be fit and proper, if the protest petition filed by the petitioners is also transferred to the file of the XIV Metropolitan Magistrate Court, Egmore. So that, the same Court can consider the final report filed against the petitioners and also the protest petition filed against the defacto complainant. This will give an opportunity for the petitioners to defend themselves effectively and at the same time, it will also give an opportunity to the petitioners to put forth their contentions against the defacto complainant insofar as the alleged crime committed by the defacto complainant and its officials.

4. This Criminal Original Petition is disposed of with a direction to the learned Judicial Magistrate, Sriperambudur to transfer the protest petition that is pending before the Court in Crime No.311 of 2018, to the file of XIV Metropolitan Magistrate Court, Egmore within a period of two weeks from the date of receipt of copy of this order. The XIV Metropolitan Magistrate Court, Egmore, immediately on receipt of the protest petition from the learned Judicial Magistrate, Sriperambudur, shall number the same and deal with it in accordance with law. The learned XIV Metropolitan Magistrate, Egmore shall deal with the protest petition as well as CC.No.6471 of 2018 which is already pending before the same Court. Consequently, the connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

Rka

To

1. Inspector of Police,  
Thousand light Police Station,  
Chennai 600 006.
2. The Public Prosecutor  
High Court of Madras,  
Madras.

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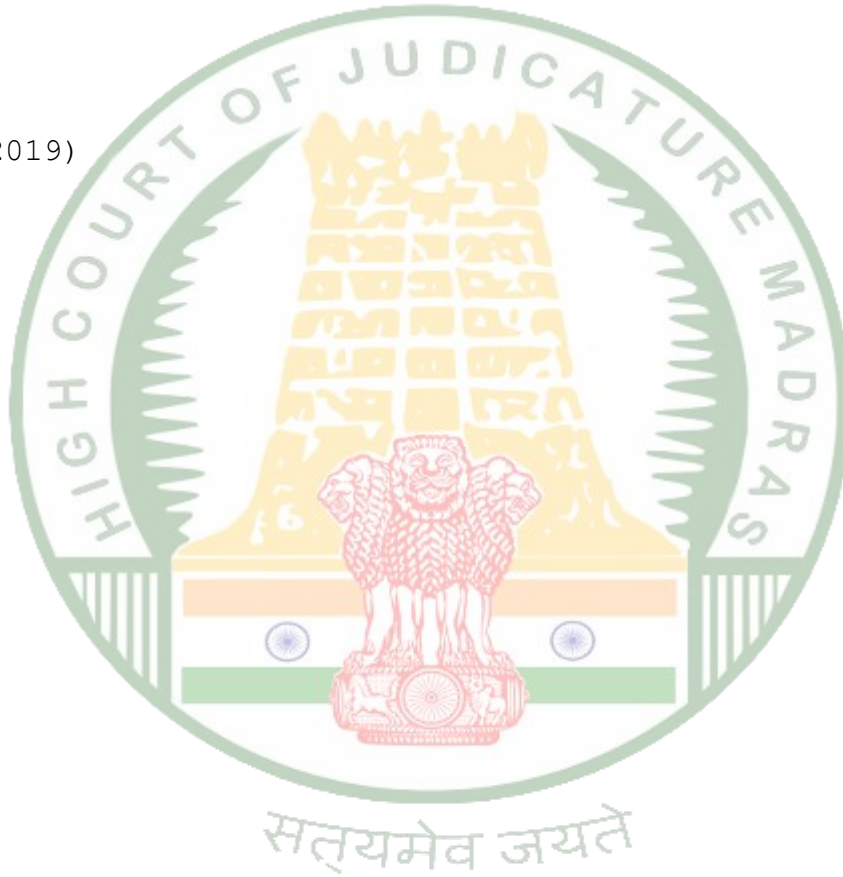
1.The XIV Metropolitan Magistrate,  
Egmore, Chennai.

2.The Judicial Magistrate,  
Sriperambudur.

+1cc to Mr.Rajasekar, Advocate, S.R.No. 60317

Crl.OP No.17036 of 2019

MG(CO)  
GN(18/07/2019)



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