

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2019

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.22760 of 2019 and
Crl.M.P.Nos.11841 & 11842 of 2019

Roselyn

... Petitioner

-vs-

1.State Rep. by
The Inspector of Police,
W-22 All Women Police Station,
Mylapore, Chennai-600 004.
(Cr.No.2/2015).

2.R.Anbukkarasi ... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records and quash the charge-sheet in C.C.No.8715 of 2018 on the file of the learned XVIII Metropolitan Magistrate at Saidapet, Chennai.

For Petitioner : Mr.N.S.Amarnath

For Respondents : Mr.M.Mohamed Riyaz (for R1)
Additional Public Prosecutor

ORDER

This petition has been filed seeking to quash the proceedings in C.C.No.8715 of 2018, pending on the file of the learned XVIII Metropolitan Magistrate at Saidapet, Chennai.

2.The respondent police have filed a final report before the Court below as against six accused persons and the petitioner is ranked as A6.

3.During the course of proceedings, the parties have come to a compromise and the Court below had acquitted A1 to A5 on that ground by a judgment dated 01.11.2018.

4.The learned counsel for the petitioner submitted that the judgment passed in favour of A1 to A5 will also enure to the benefit of the petitioner since the evidence available is

inseparable and indivisible.

5.Heard the learned Additional Public Prosecutor appearing on behalf of the respondent police.

6.Taking into consideration of the facts and circumstances of the case and also of the fact that A1 to A5 have already been acquitted in this case by the trial Court by judgment dated 01.11.2018, no useful purpose will be served by keeping the proceedings pending against the petitioner. The continuation of the proceedings against the petitioner is an abuse of process of Court.

7.In the result, the proceedings in C.C.No.8715 of 2018, on the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, is hereby quashed and accordingly this Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vs

To

1.The XVIII Metropolitan Magistrate,
Saidapet, Chennai.

2.The Inspector of Police,
W-22 All Women Police Station,
Mylapore, Chennai-600 004.

3.The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to M/s.N.S.Amarnath, Advocate SR.72929

CRL.O.P.No.22760 of 2019

and

CrI.M.P.Nos.11841 & 11842 of 2019

PPA(CO)
CB(17/10/2019)

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