



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.4086 of 2017

and

Crl.M.P.(MD) Nos.2961 & 2962 of 2017

Venkadesan

... Petitioner

Vs.

K.Akthar Banu

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to quash the proceedings in C.C.No.77 of 2014 on the file of the Judicial Magistrate No.4, Tirunelveli.

For Petitioner : Mr.A.Sivasubramanian

For Respondent : Mr.S.Lingarasu

O R D E R

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.77 of 2014 on the file of the Judicial Magistrate No.4, Tirunelveli.

2. The respondent has filed a private complaint against the petitioner on the ground that the petitioner is running a Tailoring shop and is also having a Tailoring Coaching Centre. The respondent approached the petitioner and made an arrangement to buy one tailoring machine. The Tailoring Machine that was purchased did not work properly and there were exchange of notice between the parties and ultimately, it resulted in a private complaint filed by the respondent against the petitioner. On these allegations, the Court below has taken cognizance of the private complaint under Sections 420, 294(b), 352 and 506(i) of I.P.C.

3. Heard the learned counsel appearing on either side and perused the materials available before this Court.

4. It is seen from the records that the respondent had also



initiated a complainant before the District Consumer Redressal Forum, Tirunelveli on the ground of deficiency in service. The complaint itself came to be closed on 21.06.2017 based on the memorandum filed by the respondent to the effect that the matter has been settled amicably between the parties.

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5. In view of the above development, this Court does not want to go into the various other grounds raised by the petitioner and no useful purpose would be served by relegating the parties to the Court below in view of the subsequent developments.

6. In the result, the proceedings in C.C.No.77 of 2014 on the file of the learned Judicial Magistrate No.4, Tirunelveli is hereby quashed and this Criminal Appeal is Allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Judicial Magistrate No.4,
Tirunelveli.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A. SIVASUBRAMANIAM, Advocate (SR-99764[F] dated 20/11/2019)

Crl.O.P. (MD) No.4086 of 2017

Dated:

19.11.2019

KK/SAR/09.12.2019/2P-4C/