

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.02.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.R.C.No.1292 of 2013

AND

CRL.O.P.No.26996 of 2013

CRL.R.C.No.1292 of 2013

Ravindran

Manager-New Store Operation

M/s.Country Chicken Private Limited

61, Valluvarkottam High Road

Nungambakkam

Chennai-6

... Petitioner/A-5

Vs

1.The State

Rep. by Sub-Inspector of Police

City Crime Branch

Coimbatore

... 1st Respondent

2.S.Suresh

... 2nd Respondent/
De facto complainant

Criminal Revision preferred under Section 397 read with 401 Cr.P.C. to call for the records and set aside the order dated 23.04.2013 passed by the Judicial Magistrate No.I, Coimbatore in C.M.P.No.1832 of 2013, and the FIR No.38 of 2013 Pending on the file of Sub Inspector of Police, City Crime Branch, Coimbatore.

For Petitioner : Mr.A.Harikarthik
for M/s.Kochhar & Co

For 1st Respondent : Ms.P.Kritika Kamal
Govt. Advocate (Crl. Side)

For 2nd Respondent : Mr.P.Gopinath
for Mr.S.V.Pravin Rathinam

CRL.O.P.No.26996 of 2013

1.M/s.Country Chicken Private Limited
Office at 61, Valluvarkottam High Road
Nungambakkam, Chennai-6

2.Peter Austin
Chairman - Country Chicken Private Limited
61, Valluvarkottam High Road
Nungambakkam, Chennai-6

3.Craig J.Baker
Production Manager
Country Chicken Private Limited
61, Valluvarkottam High Road
Nungambakkam, Chennai-6

.. Petitioners/ A1 to A3

Vs

1.The Sub-Inspector of Police
City Crime Branch
Coimbatore City

... 1st Respondent

2.S.Suresh

... 2nd Respondent/
De facto complainant

Criminal Original Petition filed under Section 482
Cr.P.C., praying to call for the records in F.I.R.No.38/2013
registered by the City Crime Branch, Coimbatore and to quash
the F.I.R and all proceedings relating thereto.

For Petitioners : Mr.A.Harikarthik
for M/s.Kochaar & Co

For 1st Respondent : Ms.P.Kritika Kamal
Govt. Advocate (Crl. Side)

For 2nd Respondent : Mr.P.Gopinath
for Mr.S.V.Pravin Rathinam

C O M M O N O R D E R

For the sake of convenience, the parties will be
referred to by their name.

2.One Suresh filed Crl.M.P.No.1832 of 2013 in the
Court of the Judicial Magistrate No.I, Coimbatore, under
Section 156(3) Cr.P.C., in which, the learned Magistrate, by
order dated 23.04.2013, directed the City Crime Branch,
Coimbatore, to register a case and investigate. Challenging
the said order dated 23.04.2013, Ravindran, one of the
proposed accused, has filed Crl.R.C.No.1292 of 2013 under
Section 397 read with 401 Cr.P.C.

3.Pursuant to the directions of the Magistrate, the
City Crime Branch, Coimbatore registered a case in Crime No.38

of 2013 on 27.06.2013 under Section 418 and 420 IPC against five accused, named in the complaint. M/s.Country Chicken Private Limited and two others, who have been shown as accused in Crime No.38 of 2013, have filed Crl.O.P.No.26996 of 2013 under Section 482 Cr.P.C. for quashing the F.I.R.

4.The issue involved in the criminal revision and criminal original petition being intertwined, they are considered and decided by this common order.

5.Today, when these matters were taken up for hearing, learned Government Advocate (Crl. Side) submitted that the investigation in Crime No.38 of 2013 was completed and the case has been closed as "mistake of fact" on 20.11.2014 and the R.C.S. notice No.5 of 2015 was also served on the de facto complainant.

In view of the above, both Crl.R.C.No.1292 of 2013 and Crl.O.P.No.26996 of 2013 are dismissed as infructuous.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.Judicial Magistrate Court No.I
Coimbatore

2. The Sub-Inspector of Police
City Crime Branch
Coimbatore City

3.The Public Prosecutor
High Court
Madras.

सत्यमेव जयते

+1cc to Mr.S.V.Pravin Rathinam, Advocate SR.15155

CRL.R.C.No.1292 of 2013
AND
CRL.O.P.No.26996 of 2013

PM(CO)
CB(18/03/2020)