

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.Nos.10221, 10222, 10223 & 10224 of 2014
and

Crl.M.P.Nos.1, 1, 1, 1, 2, 2, 2 & 2 of 2014

1.Muralitharan alias Murali

.... Petitioners in Crl.O.P.Nos.10221
& 10222 of 2014

2.Murali

.... Petitioners in Crl.O.P.Nos.10223
& 10224 of 2014

Vs.

State Rep. by Inspector of Police,
Central Crime Branch,
Egmore, Chennai - 8,
(Crime No.470 of 2006]

... Respondent in all Crl.O.Ps

COMMON PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C., to call for the records and quash the final report filed by the respondent herein before the learned Additional Chief Metropolitan Magistrate, Egmore, Chennai-8 in the above case in C.C.Nos.5494, 5495, 284 & 283 of 2007 respectively on his file as far as this petitioners are concerned.

For Petitioners : M/s.G.Germiah in all Crl.O.Ps

For Respondent : M/s.C.Iyyappa Raj
Additional Public Prosecutor
in all Crl.O.Ps

COMMON ORDER

All these Criminal Original Petitions have been filed to quash the proceedings in C.C.Nos.5494, 5495, 284 & 283 of 2007 on the file of the Additional Chief Metropolitan Magistrate Court, Egmore, Chennai.

2.Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor appearing for the respondent.

3.The learned counsel for the petitioners seeks the relief mainly on the ground that the matter is settled between the parties and no useful purpose would be served in the event of the same being kept on file. The learned counsel for the petitioners has also produced the copy of the order made in Crl.M.P.No.1496 of 2006 dated 16.11.2006, thereby, one of the accused in Crime No.470 of 2006 was directed to be enlarged on bail subject to certain conditions. In the said order, the learned Additional Chief Metropolitan Magistrate, Egmore, Chennai has specifically referred to the settlement of the dues to the defacto complainant. The petitioners have also sought to quash the proceedings on the same ground. He would further submit that earlier this Court has already been quashed the proceedings in C.C.No.5495, 5494 and 283 of 2007 as against the co-accused in Crl.O.P.Nos.37138 to 37140 of 2007.

4.All the complaints have arisen out of money dispute between the petitioner and different person in the course of business transaction. The allegation raised in the complaints are that the petitioners failed to pay the monthly rents to all the cars taken on lease from the defacto complainant. However, after filing the complaints, dues are settled and the same has compelled the complainants to go and express no objection for the accused being released on bail.

5.That being the state of affairs, this Court is inclined to accept the contention raised on the side of the petitioner that no useful purpose would be served in the event of the criminal proceedings being kept pending. The complaints are not likely to support the prosecution case at the later point of time and the same is likely to end in an order of acquittal and it would be sheer wast of precious time of this Court. In my considered view all the three cases are fit cases, wherein the complaints can be quashed.

6.Accordingly, these Criminal Original Petitions are allowed and the proceedings in C.C.Nos.5494, 5495, 284 & 283 of 2007 before the learned Additional Chief Metropolitan Magistrate,

Egmore, Chennai-8 stand quashed. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vv2

To

1.The Additional Chief Metropolitan Magistrate,
Egmore, Chennai.

2.The Inspector of Police,
Central Crime Branch,
Egmore,
Chennai - 8.

3.The Public Prosecutor,
High Court, Madras.

+3cc to Mr.B.Nambiselvan, Advocate Sr.7303, 7301, 7300

CrI.O.P.Nos.10221, 10222, 10223 &
10224 of 2014

rsv[co]
srg 06/03/2020

सत्यमेव जयते

WEB COPY