

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.10332 of 2014

and

M.P.No.1 of 2014

Lt.Col.(Retd) YHVS Prasad

... Petitioner/Accused

Vs.

1.State by:

Inspector of Police,
B1, Town Central Police Station,
Udhagamandalam.
(Crime No.400/2011)

.... 1st Respondent/Complainant

2.S. Prajesh Sundar 2nd Respondent/Defacto Complainant
(R2 impleaded by order dated 13/3/19 in CrI.MP.3337/19)

Prayer: Petition filed under Section 482 of Cr.P.C., to call for the records in STC.No.319 of 2013 on the file of the learned Judicial Magistrate, Coonoor and to quash the same.

For Petitioner : Mr.A. Nagarajan
for Mr.K. R. Ramesh Kumar

For Respondents: Mr. C. Iyyapparaj, for R1
Additional Government Pleader

Mr.Silambanan, Senior counsel
for M/s.Kaavya Silambanan Associates
for R2

O R D E R

This criminal original petition has been filed seeking to call for the records in S.T.C.No.319 of 2013 on the file of the learned Judicial Magistrate, Coonoor and to quash the same.

2. The petitioner is a Head Master and defacto complainant is the father of a student. It is alleged for improper conduct meted out by the Head Master towards his son, the defacto complainant filed a complaint before the respondent

police. The respondent police registered a case. Hence, the present petition is filed.

3. The learned counsel for the petitioner would submit that the petitioner did not commit any offence as arrayed by the prosecution. In order to maintain discipline, he warned the defacto complainant's son. However, in the earlier occasion, the defacto complainant approached this Court in CrI.O.P.No.8467/2011 under Section 482 of Cr.P.C., to direct the first respondent/Superintendent of Police to take appropriate steps as per law based on the report of the second respondent/Deputy Superintendent of Police. That case was closed recording the concern shared by the learned Senior counsel and the efforts taken by him to give a quietus to the matter.

4. The learned Senior Counsel appearing for the second respondent/defacto complainant would submit that his client does not want to pursue further and the charge sheet may be quashed in order to maintain discipline.

5. In view of the submission made by the learned Senior counsel, this petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

AT
To

1.The Inspector of Police,
B1, Town Central Police Station,
Udhagamandalam.

2.The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.

+1cc to Mr.K.R.Ramesh Kumar, Advocate SR.8910

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MR (CO)
CB (05/03/2020)