

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.OP.No.6343 of 2021

Dayalan

... Petitioner

Vs.

1. State Rep. by
The Station House Officer
Sedarapet Police Station
Sedarapet, Puducherry.

2. Rajaveny
3. Nagammal
4. Chandra @ Chandrampal
5. Elumalai
6. Arumugam @ Iyyanar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the charge sheet filed in C.C. No. 188 of 2019 filed by the Respondent pending on the file of Learned Judicial Magistrate No.IV, Puducherry.

For Petitioner : Mr.R.Sreedhar

For Respondents : Mr.Mommahed Riyaz
Additional public prosecutor for R1

ORDER

This Criminal Original petition has been filed to quash the charge sheet filed in C.C.No.188 of 2019 on the file of learned judicial magistrate No.IV, Puducherry.

2. This is a curious case where the petitioner is the defacto complainant and he wants the proceedings pending against respondents 2 to 6 to be quashed on the ground that they have nothing to do with the alleged offence. It seems that the petitioner was aggrieved by the illegal act of A1 and that A1 had died during the course of the proceedings. The petitioner /Defacto complainant was also present in person at the time when the case was called through video conferencing and he stated that respondents 2 to 6 are all added in the proceedings against whom he is not inclined to proceed further with the case.

3. The learned Additional public prosecutor submitted that since the defacto complainant himself has taken such a stand, the respondent police would leave the matter to the discretion of the Court.

4. Taking into consideration the facts and circumstances of the case and also the specific stand taken by the petitioner, the proceedings in C.C. No. 188 of 2019 pending on the file of Learned Judicial Magistrate No.IV, Puducherry, is hereby quashed and this criminal original petition is allowed accordingly.

सत्यमेव जयते

01.04.2021

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Index:Yes/No
Internet:Yes/No
rka

To

1. The Judicial Magistrate No.IV, Puducherry
2. The Station House Officer
Sedarapet Police Station
Sedarapet, Puducherry.
3. The Public Prosecutor
High Court, Madras.



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N.ANAND VENKATESH, J.,

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