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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2022

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CrI. O.P. No.19349 of 2018
and
CRL.M.P.Nos.10221 of 2018

1.Sethumanimadhavan
2.Thiyagarajan
3.Kannan
4.G.Srinivasan
5.Sivavadivelu

... Petitioners/Accused 2 to 6

Vs.

Ravi @ Mattu Ravi

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records in P.R.C. No.8 of 2009 on the file of the Judicial Magistrate, Tiruvarur.

For Petitioners : Mr.R.Vivekananthan

For Respondents : No Appearance

ORDER

This Criminal Original Petition has been filed to call for the records in P.R.C. No.8 of 2009 on the file of the Judicial Magistrate, Tiruvarur for the offence under Sections 323, 324, 326, 341, 342, 363, 506(ii), 307 of IPC and Section 3(2)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, filed against the petitioner and quash the same.

2. Learned counsel appearing for the petitioners submitted that as against A1 and A7 already, this court, vide orders dated 10.01.2020 and 12.02.2020 quashed the proceedings. Therefore, the same benefit has to be given to the present petitioners.



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3. The respondent being a history sheeter, filed such a complaint against the investigation agency. This court has elaborately considered the motive for initiation of such a private complaint by the respondent in both the orders. The concluding paragraph of the orders dated 10.01.2020 and 12.02.2020 reads thus:

"9.Considering the facts and circumstance of the case and the submissions put forth by the learned counsel and also in view of the above narrated facts and on perusal of the order passed by Division Bench of this Court dated 23.08.2007 in H.C.P.No.1163 of 2006, this Court is of the view that complaint filed by the respondent which was taken on file as P.R.C.No.8 of 2009 on the file of the Judicial Magistrate Court, Thiruvarur, is baseless and no ingredients are made out to proceed against the petitioner and therefore, the same is liable to be quashed."

4. In such view of the matter, the criminal original petition is allowed. The proceedings in P.R.C. No.8 of 2009 pending on the file of the learned Judicial Magistrate, Tiruvarur is quashed. Consequently, the connected criminal miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

Asr

To

1. The Judicial Magistrate,
Tiruvarur.
2. Do-Through,
The Chief Judicial Magistrate,
Tiruvarur.

+1cc to M/s.R.Vivekananthan, Advocate, S.R.No.4820

Cr1. O.P. No.19349 of 2018
and CRL.M.P.No.10221 of 2018

SSN(CO)
SU(17/02/2022)