



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.No.21162 of 2019
and
Crl.M.P.No.10932 of 2019

1.M/s Jacobi Carbons India Private Limited,
S.F.No.580 and 581, Mettubavi Village,
Vadasithur Post, Kinathukadavu Taluk,
Coimbatore - 641 202
Represented by its Director
Mr.Antony Thomas

2.Antony Thomas

... Petitioners

Versus

The Registrar of Companies
Tamil Nadu - Coimbatore,
2nd Floor, 683, Trichy Road,
Singanallur,
Coimbatore - 641 005.

... Respondent

Prayer: This Criminal Original Petition had been filed under Section 482 of Criminal Procedure Code, to call for the records relating to C.C.No.161 of 2018 on the file of the Hon'ble Judicial Magistrate Court - III, Coimbatore and quash the same by allowing this Criminal Original Petition.

For Petitioners : Mr.N.Senthil Kumar

For Respondent : Mr.S.Janarthanam

ORDER

This Criminal Original Petition had been filed seeking to quash the records relating to C.C.No.161 of 2018 on the file of the Hon'ble Judicial Magistrate Court - III, Coimbatore.

2. The learned Counsel for the Respondent relied on Paragraph 5 of the counter which is extracted hereunder,

" this Respondent reiterates that once an order is issued by the office of the Regional Director (Southern Region) for Compounding the offence, this Respondent



will withdraw C.C.161 of 2018 on the file of the III Judicial Magistrate, Coimbatore."

3. The learned Counsel for the Petitioners submits that the counter is dated as 29.03.2022. Whereas, the order passed by the Regional Director (Southern Region), Ministry of Corporate Affairs is dated as 04.04.2022. As per the orders passed by the Regional Director (Southern Region), Ministry of Corporate Affairs, the Registrar of Companies, Coimbatore, Tamil Nadu is directed to withdraw the prosecution filed against the applicants as the offence was compounded.

4. Since the offence is compounded, the prosecution of C.C.No.161 of 2018 on the file of the learned Judicial Magistrate Court -III, Coimbatore is hereby quashed. In the result, this Criminal Original Petition is allowed. Consequently, connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The III Judicial Magistrate,
The Judicial Magistrate Court - III,
Coimbatore.

2.The Registrar of Companies,
2nd Floor, 683, Trichy Road,
Singanallur,
Coimbatore.

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and
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BR (CO)
PR (19/05/2022)