



Crl.O.P No.2913 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.2913 of 2019
and Crl.MP.No.1926 of 2019

Kavitha

... Petitioner

vs.

1. The State rep by
Inspector of Police,
Central Crime Branch,
EDF-1, Team-II,
Vepery, Chennai-7. ... Respondent /Complainant
2. Cheran Enterprises Private Limited
represented by its power of attorney
Mr.Ravichandran
.. Respondent / Defacto-Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.1972 of 2014 on the file of the learned Metropolitan Magistrate for CCB & CBCID Cases at Allikulam, Chennai and quash the same.

For Petitioner : Mr.M.Anandaraj

For R1 : Mr.M.Babu Muthu Meeran
Additional Public Prosecutor



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ORDER

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This petition has been filed to quash the proceedings in C.C.No.1972 of 2014 pending on the file of the learned Metropolitan Magistrate for CCB & CBCID Cases, Egmore, Chennai. Subsequently, the case was transferred to the file of the learned Additional Special Judge for Trial of Cases related to Members of Parliament and Members of Legislative Assembly of Tamilnadu, and re-numbered as C.C.No.20 of 2020.

2. When the matter is taken up for hearing today, it is brought to the notice of this Court that A1 and A5 had compromised the dispute with the second respondent and based on the same, the proceedings in C.C.No.1972 of 2014 was quashed.

3. It is only as against A1, the main allegations were made in the final report. If A1 has compromised the dispute with second respondent and the proceedings have been quashed with respect to A1, there is no reason to continue the proceedings as against the petitioner who has been arrayed as A4. In so far as the petitioner is concerned, she had studied in the Nursing Course under the sponsorship offered by A1 and the petitioner had also acted as a Lecturer. The financial support was given by A1, and the amount was also deducted from the salary of the petitioner when she was serving as the



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Lecturer during the period 2001-2005, the petitioner has been made as an accused only on the ground that her name has been found to be one of the Director of Cheran Properties Limited and Vasanta Mills Limited. Except this, no specific overt-act has been attributed against the petitioner.

4. In the light of the above discussion, the continuation of the criminal proceedings as against the petitioner will amount to an abuse of process of Court which requires the interference of this Court under section 482 Cr.P.C. Accordingly, the proceedings in C.C.No.20 of 2020 on the file of the learned Additional Special Judge for Trial of Cases related to Members of Parliament and Members of Legislative Assembly of Tamilnadu, is quashed insofar as the petitioner is concerned.

5. In the result, this Criminal Original Petition is allowed. Consequently, the connected miscellaneous petition is also closed.

06.07.2023

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
mpa



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N. ANAND VENKATESH, J.
mpa

To

1. The Inspector of Police,
Central Crime Branch,
EDF-1, Team-II,
Vepery, Chennai-7.
2. The Public Prosecutor
High Court of Madras.

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