



CrI OP No.21036 / 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Criminal Original Petition No.21036 of 2019

and

CrI.M.P.Nos. 10857 & 13470 of 2019

- 1 Thyrocare Technologies ltd
A limited company incorporated under the
Companies Act 1956, Rep. by its
Executive Director and Chief Financial Officer,
Mr.A.Sundararaju, D-37/1, TTC, MEIDC, Turbhe,
Navi Mumbai 400 703.
- 2 Mrs.Susila Selvaraj
Ex.Director, Thyrocare Technologies ltd,
82 A, State Bank Road,
No.7, Subhu Plaza, Coimbatore 641 018.
- 3 A.Sundararaju
Executive Director and Chief Financial Officer,
Thyrocare Technologies ltd,
D-37/1, TTC, MEIDC, Turbhe,
Navi Mumbai 400 703. ... Petitioners/Accused 1 to 3

Versus

A.Gunasingh Emmanuel ... Respondent/Complainant

PRAYER : Criminal Original Petition has been filed under Section 482
of the Criminal Procedure Code seeking to call for the records of the



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proceedings in C.C.No.944 of 2019 pending on the file of the learned Judicial Magistrate-III, Coimbatore and quash the same.

For Petitioners : Mr.Sundar Narayan

For Respondent : Mr.S.Veeraraghavan

ORDER

This Criminal Original Petition has been filed is to quash the complaint in CC. No. 944 of 2019.

2. It is submitted by both the counsel that for non appearance of the complainant/respondent, the case was dismissed and the accused namely the petitioners were acquitted. The learned counsel appearing of the petitioners would submit that the respondent has challenged the said order in Criminal Appeal No.316 of 2022 before this Court. The learned counsel further submitted that in the event of this Court allowing the Appeal and setting aside the order of acquittal, he may be given liberty to file a fresh quash petition, since the entire complaint is civil in nature and not maintainable.



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3. Since no proceedings are pending as of now before the Trial Court, the prayer in the instant quash Petition has become infructuous. It is needless to observe that if the judgment of acquittal is set aside and the matter is remanded to the Trial Court, the petitioners are at liberty to challenge the complaint by filing a quash petition.

4. With the above observation, the Criminal Original Petition is dismissed as having become infructuous. ` Consequently, the connected miscellaneous petitions are closed.

20.03.2023

jv

Index: Yes/No
Speaking Order / Non-Speaking Order
Neutral Citation: Yes / No

To

The Judicial Magistrate-III,
Coimbatore.



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SUNDER MOHAN, J.

jv

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