



WEB COPY



Crl.O.P.Nos.4978 and 5068 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.4978 and 5068 of 2024

And

Crl.M.P.Nos.3603, 3604, 3680 and 3682 of 2024

1.K.Moorthy
2.M.Sivalingam
3.M.Sivanesan
4.S.Sathish Kumar

... Petitioners in Crl.O.P.4978/2024

S.Venkatramani

... Petitioner in Crl.O.P.5068/2024

Vs.

State,
Represented by,
Inspector of Police,
Mambalam P.S.,
T.Nagar,
Chennai District.
Cr.No.470 of 2018

... Respondent in both Crl.O.Ps.

Prayer in Crl.O.P.No.4978 of 2024:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records relating to the proceedings in C.C.No.2065 of 2020 on the file of Metropolitan Magistrate – XVII, Saidapet, Chennai as far as the petitioners / accused 1, 3, 4, 5 is concerned.



Crl.O.P.Nos.4978 and 5068 of 2024

Prayer in Crl.O.P.No.5068 of 2024:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records and quash the proceedings in C.C.No.2065 of 2020 on the file of Metropolitan Magistrate – XVII, Saidapet as far as the petitioner / 2nd accused is concerned.

For Petitioners : Mr.V.Ramesh
For Respondent : A.Gopinath
Government Advocate (Crl. Side)

COMMON ORDER

These petitions have been filed seeking to quash the proceedings in C.C.No.2065 of 2020 on the file of Metropolitan Magistrate – XVII, Saidapet, Chennai.

2.The facts of this case is covered by the decisions of this Court in ***Jeevanandham and others Vs. State Rep. by Inspector of Police and another*** reported in ***(2018) 2 LW CrI 606*** and ***Sri Raja Vs. State Rep. By Inspector of Police, Sivakasi Town Police Station, Virudhunagar District, and another*** reported in ***(2019) 2 LW CrI 350***.



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3.Even if all the allegations are taken as it is, no offence under Section 294(b) of I.P.C. has been made out.

4.The facts of the present case can be brought within the fold of Section 95 of I.P.C. In the light of the above discussion, the proceedings in C.C.No.2065 of 2020 on the file of Metropolitan Magistrate – XVII, Saidapet, Chennai, is hereby quashed.

5.These Criminal Original Petitions are allowed. Consequently, the connected miscellaneous petitions are closed.

01.03.2024

pri
Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

1.The Metropolitan Magistrate – XVII,
Saidapet, Chennai.

2.The Inspector of Police,
Mambalam P.S.,
T.Nagar,
Chennai District.
Cr.No.470 of 2018

3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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N.ANAND VENKATESH,J.
pri

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