ITEM NO.45 COURT NO.5 SECTION IIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl)... 2012
CRLMP.NO(s). 6944-6945

(From the judgement and order dated 04/11/2011 in CRLOP No.8741/2011 and CRLOPNo.9385/2011 of The HIGH COURT OF MADRAS)

JOHN ROGER Petitioner(s)
VERSUS
THE INSPETOR OF POLICE,TAMILNADU & ANR. Respondent(s)
(With appln(s) for c/delay in filing SLP)

WITH SLP(Crl) NO. 2116-2117 of 2012
(With appln.for ex-parte stay and exemption from filing O.T. and office report)

Date: 30/04/2012 These Petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE P. SATHASIVAM
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. R. Venkataramani, Sr.Adv.
Mrs. Manju Aggarwal, Adv.
Mr. Aljo K. Joseph, Adv.
Mr. Satya Mitra Garg,Adv.

Mr. Gurukrishna Kumar, AAG State of Tamil Nadu
Mr.A. P. Venkat, Adv.
Mr. B.Balaji, Adv.

For Respondent(s) Mr. P.P. Rao, Sr.Adv.
Mr. R. Ayyam Perumal, Adv.

UPON hearing counsel the Court made the following

O R D E R

We have heard Mr. R. Venkataramani learned senior counsel for the petitioner, Mr. Gurukrishna Kumar, AAG for State who also challenged the impugned order by filing separate special leave petition, Mr. P.P. Rao learned senior counsel appearing for respondents and perused the relevant materials.

Delay condoned.

...2/-

:2:

The High Court after formulating the legal issues relating to its power under Section 482 of the Cr.P.C. for quashing criminal proceedings, taking note of earlier proceedings, both civil and criminal, including the compromise arrived at by the parties and approved by the Court as well as earlier order of the High Court in CRP(NPD)(MD) 853 of 2010 and also after taking note of the fact that the earlier complaint was withdrawn, rightly quashed the criminal proceedings. We are in entire agreement with the conclusion arrived by the High Court. We also agree with the conclusion arrived at by the High Court with regard to the conduct of the complainant in initiating the present criminal proceedings.

Since the High Court has correctly arrived at a decision that too after considering all the relevant acceptable materials and finding no case for prosecution, we do not find any valid and legal ground for interference. The special leave petitions are dismissed.

[Usha Bhardwaj]
Court Master

[Savita Sainani]
Court Master