

N. SOUNDARAM Vs. P.K. POUNRAJ
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LAWS(SC)-2014-10-70
Supreme Court Of India
Decided on October 17,2014

N. SOUNDARAM

Appellant

VERSUS

P.K. POUNRAJ

Respondents

JUDGEMENT

N.V. Ramana, J. - (1.) LEAVE granted.

(2.) THIS appeal is preferred against the judgment and order dated 25 September, 2012 of the High Court of Judicature at Madras whereby learned Single Judge of the High Court allowed the appeal of the Respondent No. 1 (accused) filed Under Section 482, Code of Criminal Procedure quashing the final report filed by the police against him in Crime No. 889 of 1996 pending before the learned Judicial Magistrate III, Salem. The brief facts of the case, sans unnecessary details, are that on 20 September, 1996 the Appellant herein lodged a complaint with the Hasthampatty Police Station, Salem, Tamilnadu to the effect that on the preceding day at about 11 a.m. about 25 persons, sent by the accused - Respondent No. 1, armed with deadly weapons entered her residence, forcibly tied her and her mother -in -law and locked them up in a room. Then they went into the office portion of her husband in the same premises and by threatening the staff at knife point, took away important documents pertaining to some transactions between her husband and the accused (Respondent No. 1). It was also alleged that the assailants had taken away some files relating to other clients of her husband.

(3.) FROM the complaint, it appears that the Respondent No. 1 owns a quarry of granites and husband of the Appellant is an Auditor by profession and also deals with quarrying business. At the relevant time there were business transactions going on between them out of which, the Respondent No. 1 owed a sum of Rs. 36,87,933/ - to the husband of the complainant. Since the accused was repeatedly asked to repay the debt amount, enmity erupted between the complainant's husband and the Respondent No. 1. ;

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