

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.17621 of 2015

1.Mr.S.Bakayaraj @ Selva Bakayaraj
2.Mr.M.Kumaravel
3.Mr.K.Panneerselvam
4.Mr.Senthil

.. Petitioners

Vs.

1.The State rep. By
The Sub Inspector of Police,
E-1 Mylapore Police Station,
Chennai - 600 004.

2.Mr.N.Srinivasan

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records relating to the complaint in Crime No.1060 of 2015 on the file of the first respondent and quash the same.

For Petitioners :: Mr.A.Velmurugan

For R.1 :: Mr.C.Emalias
Additional Public Prosecutor

O R D E R

On a complaint lodged by N.Srinivasan, the respondent police registered a case in Crime No.1060 of 2015 on 20.03.2015 for offence under Sections 341, 427, 323 & 506(ii) I.P.C., against the petitioners herein.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent.

3.During the pendency of the investigation, it appears that the petitioners and the defacto complainant have arrived at a compromise and hence, the petitioners are before this Court seeking to quash the F.I.R., in Crime No.1060 of 2015 on the file of the first respondent police.

4.Today, Mr.C.Samvincent, the Inspector of Police, E.1 Mylapore

Police Station, Chennai is present. The defacto complainant is also present. The defacto complainant has been identified by the respondent police.

5.The defacto complainant has filed an affidavit wherein, in paragraph Nos.3, 4 and 5, it has been stated as follows:-

"3.I submit that on 20.03.2015 during the course of business, there was wordy quarrel between me and the petitioners herein which ended up in lodging police complaint. In the result, I lodged the complaint before the first respondent against the petitioner and the same was registered in Crime No.1060/2015 for the offences punishable under Section 341, 427, 323 and 506(i) I.P.C.

4.Thereafter, out well wishers and common friends advice I realized the repercussion of the police complaints and the smooth running of the business. Hence, I decided to discuss with the petitioners and sort out the issues amicably in the best interest of saving reputation of our families and the welfare of the business and came to an understanding not to proceed further on the complaint.

5.I submit that if the prosecution continues it will reopen healed wounds and create more bitterness between the petitioners and me."

6.Incidentally, it may be referred herein that Mr.N.Srinivasan, in this case, is also one of the accused in Crime No.1061 of 2015 in which, the investigation has been completed and final report has been filed in C.C.No.2931 of 2015 before the learned XVIII Metropolitan Magistrate, Saidapet, Chennai and therefore, the petition filed by the petitioners in CrI.O.P.No.17504 of 2015 was closed by this Court on 20.07.2015 giving liberty to the accused and the defacto complainant therein to challenge the final report filed thereon on the ground that they have arrived at compromise between them.

7.In view of the above, this Criminal Original Petition is allowed and the case in Crime No.1060 of 2015 on the file of the first respondent is hereby quashed.

jbm

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

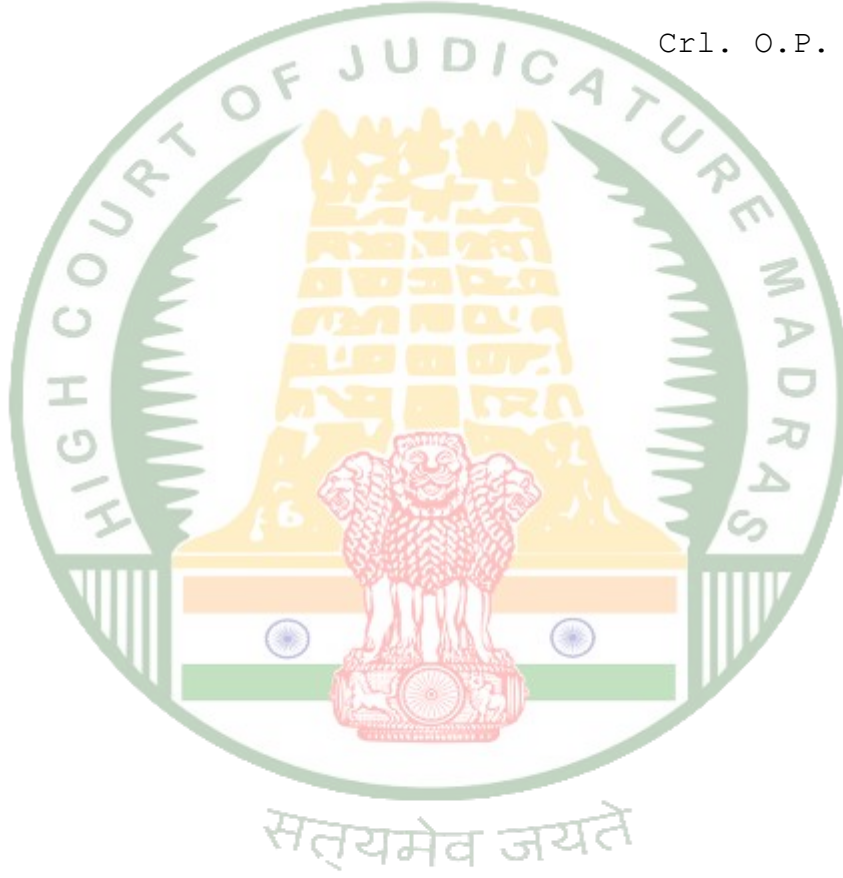
To

1.The Sub Inspector of Police,
E-1, Mylapore Police Station,
Chennai 0 600 004.

2.The Public Prosecutor,
High Court, Madras.

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Cr1. O.P. No.17621 of 2015



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