

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2015

CORAM

The Hon'ble Mr. Justice R.S.Ramanathan

Crl.O.P.No.8156 of 2014
and
M.P.Nos.1 and 2 of 2014

P.R.Kavitha

...Petitioner

vs.

1. The State, rep. by
Inspector of Police,
Karumalaikoodal Police Station,
Mettur Taluk, Salem District.

2. Premkumar
(R-2, impleaded as per order passed today,
in M.P.No.1 of 2015 of this Crl.O.P.)

...Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for records relating to C.C.No.135 of 2011, on the file of Judicial Magistrate No.II, Civil Judge (Junior Division) Mettur Dam, Salem District, and to quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.R.C.Paul Kanagaraj, for
Mr.W.M.Abdul Majeed
For Respondent-1 : Mr.M.Maharaja
Additional Public Prosecutor
For Respondent-2 : Mr. Premkumar, Party-in-Person

सत्यमेव जयते
O R D E R

This Petition has been filed to quash the proceedings in C.C.No.135 of 2011, on the file of Judicial Magistrate No.II, Mettur Dam, Salem District.

2. The newly impleaded second respondent, is the de facto complainant herein. He has given complaint against the petitioner and others, and on the basis of the said complaint, case was registered against them and chargesheet was filed for offence under Sections 147, 148, and 506 (ii) IPC and for under Section 75 T.N.C.P Act.

3. The learned counsel appearing for petitioner filed a joint affidavit sworn to, by the second respondent/de facto complainant, stating that, the second respondent settled differences amicably with the petitioner, and therefore, the case in C.C.No.135 of 2011, may be quashed.

4. Today, the petitioner and the second respondent are present in Court. The petitioner was enquired. The second respondent was also enquired and he admitted the joint affidavit filed by him and stated that they settled the matter amicably and there is no need to proceed further with the case filed at his instance against the petitioner. The identity of the second respondent is also proved by the production of his voter's identity card.

5. Considering the joint affidavit filed by the second respondent/de facto complainant and also having regard to the nature of offence committed by the petitioner and the fact that the de facto complainant has compromised the matter with the petitioner, the Criminal Original Petition is allowed and the proceedings in C.C.No.135 of 2011 are quashed. Consequently, M.P.Nos. 1 and 2 of 2014 are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Judicial Magistrate II, Mettur Dam, Salem
- 2.-do- Thro The Chief Judicial Magistrate, Salem.
3. Inspector of Police,
Karumalaikoodal Police Station,
Mettur Taluk, Salem District.
4. The Public Prosecutor,
High Court, Madras.

2 cc to Mr.W.M.Abdul Majeed ,Advocate, SR.No.11324

CrI.O.P.No.8156 of 2014

rv(co)
pmk.12.3.2015