

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2015

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

CrI.O.P.No.6421 of 2015

1. P.Mani
2. S.Santhi
3. M.Prakash
4. R.Daniel

... Petitioners

Vs

1. The Inspector of Police,
City Crime Branch,
Coimbatore City,
Coimbatore.

2. Tmt.K.Malathi

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., seeking to quash the charge sheet in C.C.No.350 of 2011, on the file of the Judicial Magistrate No.II, Coimbatore.

For Petitioners : Mr.N.Anand Venkatesh

For 1st Respondent : Mr.C.Emalias,
Additional Public Prosecutor

For 2nd Respondent : Mr.V.Anandan

सत्यमेव जयते
O R D E R

The present criminal original petition has been filed to quash the charge sheet in C.C.No.350 of 2011, on the file of the Judicial Magistrate No.II, Coimbatore.

2. On a complaint, given by Tmt.K.Malathi, 2nd respondent herein, the 1st respondent-Police registered a case in Cr.No.78 of 2009, under Sections 120-B, 467, 468, 471, 419 and 420 IPC., against the petitioners. After completing the investigation, the respondent-Police filed a final report, before the learned Judicial Magistrate No.II, Coimbatore, against which, the petitioners have filed this Criminal Original petition, to quash the same, on the ground that they have entered into an amicable settlement with Tmt.K.Malathi, defacto complainant.

3. Today, Tmt.K.Malathi, defacto complainant, is present in the Court, along with her counsel, Mr.D.Anandan and has filed an affidavit, wherein, she has stated as follows:

"I state that the accused persons have entered into a compromise and accordingly, a Memorandum of compromise, dated 02.02.2015, was entered between myself and the abovesaid accused, P.Mani and others and as per the compromise, I received a sum of amount Rs.10,00,000/- towards the consideration of the above said property and towards compensation for the loss sustained by me. I state that I also agreed to withdraw the criminal complaint pending in C.C.No.350 of 2011, on the file of the Judicial Magistrate No.2, Coimbatore, against the accused persons."

4. Tmt.K.Malathi, has been identified, by her counsel, Mr.V.Anandan.

5. In view of the settlement arrived at, between the parties, charge sheet in C.C.No.350 of 2011, pending on the file of the Judicial Magistrate No.II, Coimbatore, is thereby quashed, following the decision made in Narinder Singh and another v. State of Punjab and another reported in 2014 (6) SCC 466.

6. Hence, this criminal original petition is allowed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

skm
To

1. The Judicial Magistrate No.II,
Coimbatore.

2. The Inspector of Police,
City Crime Branch,
Coimbatore City,
Coimbatore.

1 cc to Mr.N. Anand Venkatesh, Advocate Sr.30437

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ALA(CO)
EU 02.07.15