

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.8.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.7520/2015 and

M.P.No.1 of 2015

S.Sakkaravarthy ... Petitioner/Petitioner/Accused-1

Vs

1. State rep. By
The Inspector of Police,
District Crime Branch,
Vellore District ... Respondent/Respondent/Complainant

2. Vasantha
3. Selvam ... Respondent Respondent/defacto complainant

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for records and quash all the proceedings against the petitioner only in Cr.No.17 of 2009 on the file of the Inspector of Police, District Crime Branch, Vellore, Vellore District.

For Petitioner :Mr.B.Vasudevan

For R1 :Mr.C.Emalias
Additional Public Prosecutor

ORDER

On a complaint lodged by Vasantha under Section 156(3) Cr.P.C before the Judicial Magistrate, Gudiyatham, a direction was issued to the respondent police to register a case in Cr.No.17/2009 for offences under Sections 294(b), 406, 417, 420, 506(i), 509 r/w 34 IPC against the petitioner herein. From 2009, the FIR has been pending and in the meantime, the petitioners and the defacto complainant have amicably settled their disputes.

2. It is the case of the defacto complainant that the petitioners had taken money promising to get MBBS admission for their daughter and that they did not secure the admission as promised by them.

3. Today, Vasantha (defacto complainant) and her husband, Selvam are present before this Court and they have been identified by R.Mohan, Sub Inspector of Police, DCB Vellore. Vasantha (defacto complainant) and her husband, Selvam has filed individual affidavit wherein in paragraphs 4 to 6, it is stated as follows:

"4. I submit that the 1st Respondent registered a case in crime No.17/2009 for offence u/s. 294(b), 406, 417, 420, 506(i), 509 r/w 34 IPC., on a complaint of myself and my husband Selvam, the Date of F.I.R is on 25.5.2009.

5. I humbly submit that dispute between us is compromised and dispute being personal and no public policy being involved in the transactions.

6. I submit that I am withdrawing my complaint against Mr.S.Sakkaravarthy (A1), R.T.E.Ramachandran (A2), Sivaramalingam (A3), I have no objection to quash the entire proceedings in crime No.17/2009 on the file of the 1st Respondent Police against A1 to A3. It is necessary to permit me to compromise the above matter for the interest of justice and pass necessary orders as this Hon'ble Court deem fit and proper in the circumstance of the above case and thus render justice."

4. The learned Additional Public Prosecutor submits that investigation in this case has been completed and final report was filed on 05.08.2015 before the Judicial Magistrate, Gudiyatham.

5. In view of the above, the entire prosecution in Cr.No.17/2009 including final report that has been filed before the Judicial Magistrate, Gudiyatham, is hereby quashed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate, Gudiyatham.

2. The Inspector of Police,
District Crime Branch,
Vellore District

3.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.B. Vasudevan, Advocate, Sr. 42656

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