

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.7705 of 2015

and M.P.No.1 of 2015

R.Arivalagan

...Petitioner/Sole Accused

Vs

1.State rep. by

The Sub Inspector of Police,
Pollachi Taluk Police Station,
Pollachi, Coimbatore District.

...1st Respondent/Complainant

2.K.P.Palanisamy

...2nd Respondent/Defacto Complainant

Criminal Original Petition filed under Section 482 Cr.P.C.
to call for the records in C.C.No.105 of 2015 on the file of the
Judicial Magistrate No.II, Pollachi and to quash the same.

For Petitioner : Mr.C.Veerarahavan

For respondents : Mr.C.Emalias,
Addl. Public Prosecutor
for R.1
Mr.S.Vijayakumar, for R.2

ORDER

The present criminal original petition has been filed
to call for the records in C.C.No.105 of 2015 on the file of the
learned Judicial Magistrate No.II, Pollachi and to quash the
same.

2. It is the case of the prosecution that during 2007,
the petitioner forged the signature of the second respondent,
who is the husband of the Ex-president Neelaveni, applied for
sand quarrying and on getting permission, quarried the sand.
But, he has not paid the amount. The second respondent came to
know about the fraud committed by the petitioner only in the
year 2009 and thereafter, he preferred a complaint to the first
respondent police against the petitioner. On the basis of the
said complaint given by the second respondent, the first

respondent police registered a case in Crime No.12 of 2014 for the alleged offence punishable under Sections 465, 468, 471 and 420 I.P.C. After completion of investigation, charge sheet was filed in this case and the same was taken on file as C.C.No.105 of 2015 by the learned Judicial Magistrate No.II, Pollachi. Now, the petitioner / accused has filed the present petition seeking to quash the said proceedings.

3. Today, when the matter was taken up for consideration, learned counsel appearing for the petitioner and the learned counsel appearing for the second respondent / de facto complainant represented that the dispute between the parties was amicably settled. The parties were also present before this Court. The second respondent has also filed an affidavit stating that he has no objection to quash the proceedings in C.C.No.105 of 2015 pending on the file of the learned Judicial Magistrate No.II, Pollachi, in view of the settlement arrived at between them.

4. Heard both sides and perused the records available on record including the affidavit filed by the second respondent / de facto complainant.

5. Since the dispute between the parties has amicably been settled, I am of the opinion that the proceedings in C.C.No.105 of 2015 pending on the file of the learned Judicial Magistrate No.II, Pollachi, could be quashed in respect of the petitioner and accordingly, quashed and the criminal original petition is allowed. Consequently, connected Miscellaneous Petition is closed.

sd/-
Assistant Registrar (Cs-V)

/TRUE COPY/

Sub-Assistant Registrar

sbi

To

1.The Judicial Magistrate No.II,
Pollachi.

2.Do thro The Chief Judicial Magistrate,
Pollachi, Coimbatore.

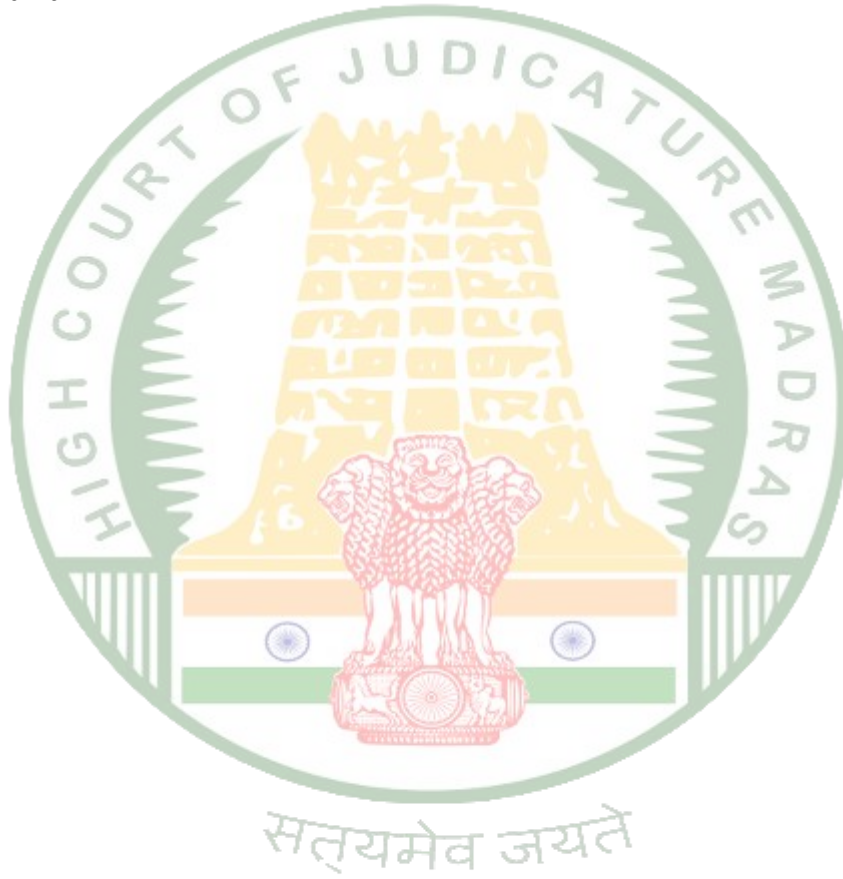
3.The Sub Inspector of Police,
Pollachi Taluk Police Station,
Pollachi, Coimbatore District.

4.The Public Prosecutor,
High Court, Madras.

+1 CC to MR.C.Veeraraghavan Advocate. SR.NO. 68186

CrI.O.P.No.7705 of 2015

CO-SU
JD 08/01/2016



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