

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

CrI.O.P.No.14082 of 2016
and
CrI.M.P.Nos.7174 and 7175 of 2016

A.M.Ghouse Basha

... Petitioner/Accused

Vs.

1.State by
Sub Inspector of Police
G-3, Kilpauk Police Station
Kilpauk, Chennai 10.

2.Murali

... Respondents

Criminal Original Petition filed u/s 482 Cr.P.C. to call for the records in CC No.2314 of 2015 on the file of II Metropolitan Magistrate, Egmore now at Allikulam and quash the same.

For petitioner : Mr.B.Vijay

For R1 : Mr. C. Emalias
Additional Public Prosecutor

For R2 : Mr.G.Mohammed Asif

ORDER

This petition has been filed to call for the records in CC No.2314 of 2015 on the file of II Metropolitan Magistrate, Egmore now at Allikulam and quash the same.

2. Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor appearing for the State and the learned counsel for the second respondent.

3. On the complaint of one Murali, the respondent police registered a case in Cr.No.1236 of 2015 and after completing the investigation, has filed a Final Report in C.C.No.2314 of 2015 before the II Metropolitan Magistrate, Egmore, against

A.M.Ghouse Basha for offences u/s 341, 352 and 326 IPC, challenging which this quash application has been filed on the ground that the parties have arrived at a compromise.

4. Today, Ms.B.Anathi, Sub Inspector of Police, G-3 Kilpauk Police Station is present. Ghouse Basha [accused] and Murali [de facto complainant] are also present and they are identified by their Advocate. Murali has filed an affidavit, wherein it is stated as follows:

"2. I submit that I had worked as Office Assistant at YMCA organization, Chennai. I state that the criminal case has been registered against the petitioner on 05.06.2015 under Section 341, 324 IPC on the basis of information given by me. At the intervention of my friends and relatives, I have decided to settle the dispute with the petitioner by way of amicable settlement.

3. I state that I consent for quashing of criminal proceedings in view of compromise entered with the petitioner. The dispute had arose between me and petitioner on account of petty quarrel. The petitioner had compensated me in terms of money and provided necessary medical treatment also. Hence I have no objection to quash the criminal proceedings initiated against the petitioner in C.C.No.2314 of 2015 on the file of II Metropolitan Magistrate Court, Egmore now at Allikulam.

It is therefore prayed that this Hon'ble Court may be pleased to record this affidavit and pass such further or other orders as deem fit by this Hon'ble Court and thus render justice."

In view of the above, this petition is allowed and the prosecution in C.C.No.2314 of 2015 is quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gms

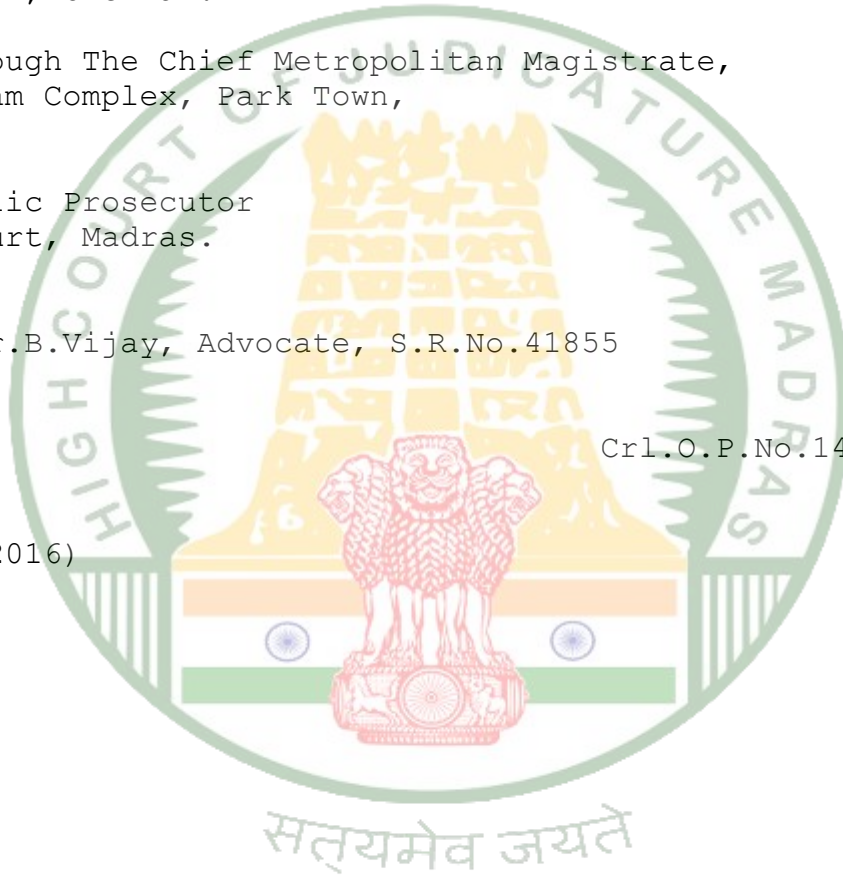
To

- 1.The Sub Inspector of Police
G-3, Kilpauk Police Station
Kilpauk, Chennai 10.
- 2.The II Metropolitan Magistrate,
Egmore now at Allikulam Complex,
Park Town, Chennai.
- 3.Do- Through The Chief Metropolitan Magistrate,
Allikulam Complex, Park Town,
Chennai.
- 4.The Public Prosecutor
High Court, Madras.

+1cc to Mr.B.Vijay, Advocate, S.R.No.41855

Crl.O.P.No.14082 of 2016

RSY(CO)
CA(03/08/2016)



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