

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2016

CORAM:

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

CrI.O.P. No.14991 of 2016

1 Siddharthan
2 Linish
3 Prasanth
4 Venkatesh
5 Sanju
6 Srinivasan

Petitioners

vs.

1 The Inspector of Police
Madukkarai Police Station
Coimbatore
(Crime No.529 of 2013)

2 Jishnu Ramesh

Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to call for records relating to C.C. No.273 of 2015 from the file of the Judicial Magistrate No.VII, Coimbatore and quash the same.

For Petitioners Mr. K. Balaji

For R1 Mr. C. Emalias
Additional Public Prosecutor

For R2 Mr.S.Anburaja

ORDER

This Criminal Original Petition is filed to call for the records relating to C.C. No.273 of 2015 from the file of the Judicial Magistrate No.VII, Coimbatore and quash the same.

2 Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent-State.

3 On the complaint given by Jishnu Ramesh, the first respondent police registered a case in Crime No.529 of 2013 and after completing the investigation, have filed a final report in C.C. No.273 of 2015 before the Judicial Magistrate Court No.VII, Coimbatore, for offences under Section 294B, 323, 324 and 506(II) IPC against the petitioners herein, challenging with the petitioners are before this Court for quashing the same on the ground that they have arrived at an amicable settlement with the de facto complainant.

4 Today, Jishnu Ramesh, the de facto complainant is present before this Court and is represented by his counsel who has identified him. The de facto complainant has also filed an affidavit wherein, at paragraph no.2, it is stated as follows:

"2. I have studied at Karpagam College and Siddharth, Linish, Prashanth, Venkatesh, Sanju, Srinivasan also studied in college. On 2013 we picked up quarrel and that ended up in a big clash in which we beat/assaulted one another. This happened on road side. The public present their supported me and advised me to lodge a police complaint. So, in a fit of emotion, I lodged a complaint against the said 6 members. Before the Madukkarai Police Station the FIR was filed and case was registered in Crime No.529/2013 and the same was charge sheeted in C.C. No.273/15 before the Hon'ble Judicial Magistrate No.VII, Coimbatore."

5 From a reading of the aforesaid portion of the affidavit filed by the de facto complainant, it is seen that the quarrel had taken place amongst college students and they are charged for the aforesaid offences. It is also stated that they have no bad antecedents.

In view of the above, the prosecution in C.C. No.273 of 2015 on the file of the Judicial Magistrate Court No.VII, Coimbatore, is quashed and this Criminal Original Petition is allowed.

cad

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1 The Inspector of Police
Madukkarai Police Station, Coimbatore
- 2 The Judicial Magistrate No.VII, Coimbatore
- 3 The Public Prosecutor
High Court of Madras
Chennai 600 104

+ 1 cc to Mr.S.Anburaja, Advocate Sr 39798
+ 1 cc to Mr.K.Balaji, Advocate Sr 39843

KR/3/8/16

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