

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2016

CORAM:

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

CrI.O.P. No.16398 of 2016

K. Vijay Gopal

Petitioner

Vs.

1 State represented by
The Inspector of Police
S-9, Pazhavanthangal Police Station
Crime Branch
Chennai

2 V. Mukundan

Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to quash C.C. No.458 of 2016 pending on the file of the Judicial Magistrate Court, Alandur.

For petitioner Mr. S. Sathya Narayanan

For R1 Mr. C. Emalias
Additional Public Prosecutor

For R2 M/s. P.P. Vikram & P.A. Parthasarathy

ORDER

This Criminal Original Petition is filed seeking to quash C.C.No.458 of 2016 pending on the file of the Judicial Magistrate Court, Alandur.

2 Heard the learned counsel for the parties.

3 On the complaint lodged by Mukundan, the second respondent herein, the first respondent police registered a case in Crime No.822 of 2016 and after completing the investigation, has filed a final report in C.C. No.458 of 2016 before the Judicial Magistrate Court, Alandur for an offence under Section 379 IPC against Vijay Gopal, challenging which, Vijay Gopal is before this Court for quashing the prosecution on the ground that the parties have arrived at a compromise.

4 Today, Vijay Gopal and Mukundan are present. Mukundan is represented by his counsel M/s. P.A. Parthasarathy and P.P.Vikram. Mukundan has filed an affidavit dated 05.08.2016, wherein, he has stated that after he had given the complaint that his motor bike was lost, he learnt that it was in the custody of his cousin, viz., Vijay Gopal; though Vijay Gopal and Mukundan appeared before the Magistrate and stated that they had arrived at an amicable settlement, the Magistrate did not entertain the same.

In view of the above, the proceedings in C.C. No.458 of 2016 on the file of the Judicial Magistrate Court, Alandur is quashed and this Criminal Original Petition stands allowed.

cad

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

- 1 The Inspector of Police
S-9, Pazhavanthangal Police Station
Crime Branch
Chennai
- 2 The Judicial Magistrate Court
Alandur
- 2 The Public Prosecutor
Madras High Court
Chennai 600 104

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Crl. O.P.No. 16398 of 2016
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