

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2016

CORAM:

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

CrI.O.P. No.20708 of 2016
and CrI.M.P. No.9634 of 2016

J.Harishankar

... Petitioner/Accused

vs.

1.State: Inspector of Police
All Women Police Station
P.S.Madipakkam
Chennai.

2.M.Arulselvi ... Respondents/Complainant &
Defacto Complainant

Criminal Original Petition filed under Section 482, Cr.P.C.
seeking to call for the records in Cr.No.01 of 2014, on the file
of Inspector of Police, All Women Police Station, Madippakkam,
Chennai and quash the same.

For petitioner Mr.A.Saranraj
For R1 Mr. C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to call for
the records in Cr.No.1 of 2014, on the file of Inspector of
Police, All Women Police Station, Madippakkam, Chennai and quash
the same.

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

3. When the matter was taken up for hearing, learned
Additional Public Prosecutor submitted that investigation in
Cr.No.1 of 2014 was completed and charge sheet was filed on
06.01.2015 before the Judicial Magistrate, Alandur and the same
has been returned by the Court for certain compliances on
21.09.2015. Since the investigation has been completed, the FIR
cannot be quashed. However, the respondent police is directed
to re-submit the charge sheet after rectification of the

defects before the Judicial Magistrate, Alandur within four weeks from the date of receipt of a copy of this order. On such re-presentation, the learned Judicial Magistrate is directed to pass judicial orders thereon.

4. The learned counsel for the petitioner submitted that the parties have almost arrived at a compromise and seeks leave of this Court to file a fresh quash application, in the event of the parties arriving at a compromise.

5. Accepting his submission, this petition is closed with liberty to the petitioner to file a fresh quash application, in the event of the parties arriving at a compromise, following the judgment of the Supreme Court in Narinder Singh and others vs. State of Punjab and another [(2014) 6 SCC 466]. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Alandur.
- 2 The Inspector of Police
All Women Police Station
P.S.Madipakkam
Chennai.
3. The Public Prosecutor
Madras High Court
Chennai 600 104

Cr1.O.P. No.20708 of 2016

msm[co]
srg 24/11/2016